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THE ENGLISH IN IRELAND.

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THE ENGLISH IN IRELAND

IN THE

EIGHTEENTH CENTURY.

BY

JAMES ANTHONY FROUDE, M.A.

IN TWO VOLUMES.

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IRISH 1798 COLLECTION

CONTENTS.

BOOK I

CHAPTER I.

PRELIMINARY.

SECTION		PAGE
I.	Conditions of national independence	2
II.	Relations of England with Scotland, Wales, and Ireland	7
III.	The Norman Conquest of Ireland	14
IV.	Norman degeneracy and its causes	20
	Peculiarities of the Irish character	22
	Effects of the Civil Wars in England	28
	Ireland at the accession of Henry the Seventh	30
	Poynings' Act	35
	Early policy of Henry the Eighth	37
V.	Rebellion of Lord Thomas Fitzgerald, followed by general submission	39
VI.	Reigns of Edward and Mary	42
VII.	Accession of Elizabeth	45
	Necessary hostility of the Catholics	47
	Causes for extending the Act of Uniformity to Ireland	49
	Central faults of Elizabeth's Irish administration	50
	Rebellion of Shan O'Neil	52
	Rebellion of the Earl of Desmond	54
	Extermination of the Munster Geraldines	56
	Rebellion of the Earl of Tyrone	59
	Consequences of these insurrections	64

CHAPTER II.

INSURRECTION OF 1641.

SECTION		PAGE
I.	Expectations on the accession of James the First	66
	Disappointment and renewed revolt	67
	The Ulster Settlement	68
	Commencement of prosperity	71
	Complaints and sufferings of the native Irish gentry	72
II.	Toleration of the Catholics	74
	Division of the Protestant interest	76
	Persecution of the Presbyterians	77
	Viceroyalty of the Earl of Strafford	78
	Intended Settlement in Connaught	80
	An Irish army	81
III.	Irish resentment against the Settlements	84
	Disagreements among the Irish Catholics	86
	Negotiations of Charles the First with the Irish leaders	87
	Symptoms of approaching insurrection	89
	The Irish Parliament in the summer of 1641	90
	Intention of the Catholics to take possession of the Government	94
	Underplot of Sir Phelim O'Neil	96
	Conspiracy to surprise Dublin Castle	97
IV.	Outbreak of the Rebellion	100
	General massacre of Protestants	102
	The affair at Island Magee	105
	Sufferings of the Protestant families	107
	Scenes in Dublin	109
	Estimate of the numbers destroyed	111
	Effect of the news of the massacre in England	114
	The Civil War	115
	Arrival of a Nuncio	116
	Catholic divisions	117
	Destruction of Ormond's army at Rathmines	119
V.	Justice to Ireland	120
	The landing of Cromwell	122
	The storming of Drogheda	124
	The storming of Wexford	126
	Universal submission	128

SECTION PAGE
VI. Theory of property in land 130
The Cromwellian Settlement 133
Union of the two Kingdoms 136
Principles of Cromwell's Government . . . 137
Effect upon Ireland 139

CHAPTER III.

THE REVOLUTION.

I. The Restoration and the expectations of the Irish . 141
A deputation sent to Charles the Second . . . 144
Half measures 146
The Irish Parliament restored 147
The Act of Settlement 149
Establishment of a Court of Claims . . . 150
The Down Survey 152
Final results of the Rebellion 153
II. The re-establishment of the Anglo-Irish Church . 154
Persecution of the Nonconformists 156
The Established Church unsuited to Ireland . . 157
Lord Clarendon's opinion of the condition of it . 158
III. Suspension of the Penal Laws 159
Increase of wealth 160
English jealousy and commercial restrictions . . 162
IV. Catholic revival 165
Disarming of the Protestants 166
Viceroyalty of the Earl of Clarendon . . . 167
The Earl of Tyrconnell 171
Attacks on the Act of Settlement 173
Clarendon recalled 174
V. Approach of a fresh struggle 176
Favour shown to Catholics 178
Attitude of the Established Church . . . 179
Closing of the gates of Derry 181
Siege of Derry 183
VI. The Irish Parliament 184
Repeal of the Acts of Settlement 189
Protestant attainders 190
VII. Landing of King William 193
Battle of the Boyne 194
Confiscations 196

SECTION		PAGE
	Battle of Athlone	198
	Battle of Aghrim	199
	Siege of Limerick	201
	Articles of Limerick	203
	The disputed clause	204
VIII.	Review of the situation	207
	Relations between Romanism and Protestantism	209
	Justification of repressive laws	211
	Effects of leniency in Ireland	212
	The remedial measures required	214
	Toleration of Nonconformists	215
	Laws against Absentees	216
	A union of the two realms	217

BOOK II.

CHAPTER I.

OPENING OF THE PENAL ERA.

I.	False dice	219
	Indulgence to the Catholics	221
	Corruption in the disposition of the lands	222
	Discontent of the Protestants	224
	Viceroyalty of Lord Sydney	225
	Session of 1692	226
	Quarrel between the Viceroy and the Parliament	228
	Impeachment of Chancellor Porter	230
II.	Jacobitism in the Established Church	233
	Education in Ireland	234
	Disarming Act	235
	Tories and Rapparees	236
III.	Persecution of Nonconformists	238
	Refusal of a Toleration Act	240
	The Regium Donum	241
	Condition of the Church	243
	Distribution of patronage	245
	Remonstrance of the Bishop of Limerick	247
	Ruin of Protestant Settlements	248

SECTION		PAGE
IV.	General dishonesty	250
	Jacobite Bishops	252
	Favour shown to Catholics	253
	Confirmation of the Articles of Limerick	255
	Status of the Catholic clergy	257
	Intermarriages between Catholics and Protestants	258
	Conspiracy against the King	259
	Rejection of the Security Act in Ireland	261
	English indignation	262
V.	English commercial jealousies	264
	Restrictions on the export of wool	265
	Destruction of the Irish woollen manufactories	267
VI.	Corruption of the Court of Claims	270
	The Resumption Bill	272
	English Act against the growth of Popery	274
VII.	Fate of the forfeited estates	276
	Absenteeism	277
	Tenures of Irish land	278
	Formation of modern Irish society	280
	Life in Dublin	282
	The Bishops of the Establishment	283

CHAPTER II.

FIRST ATTEMPT AT UNION.

I.	Growing estrangement between England and Ireland	285
	Desire of the loyal Irish for a legislative union	288
	Contrast between Ireland and Wales	289
	Probable effects of the commercial restrictions	291
	Mr. H. Maxwell's Essay	292
II.	English estimate of the value of Ireland	293
	Viceroyalty of the Duke of Ormond	295
	Act to prevent the further growth of Popery	296
	Opening of the Session of 1703	299
	The Irish Parliament petitions for a Union	300
	Letter of Sir Richard Cox	302
	The Union refused	304
III.	Catholic remonstrances against the Popery Act	306
	Character of the Act	307
	Agitation in Ireland	309
	The Act as remodelled in England	310

SECTION		PAGE
	Attached Test Clause against Dissenters	312
	Object of the introduction of this clause	313
	Catholics heard in opposition	314
	The Bill passes	316
	Act for the Registration of Priests	317
IV.	The laws against Catholics unenforced	318
	Vigorous prosecution of Nonconformists	319
	Unstable character of English policy	320
	Jacobite leanings of the Bishops and clergy	323
V.	Intended descent of the French on Galway	325
	Condition of Galway	326
	The Earl of Wharton	328
	Swift and the Dissenters	329
	Jacobitism in Trinity College	331
	Second Act against Popery	332
	Ineffective exhortation to union amongst Protestants	334
	The Abjuration Oath	336
	How evaded by the Catholics	337
VI.	Revolution principles	339
	The Students at Trinity College	340
	Defacement of William's statue	341
	Persecution of Presbyterians	342
	Recall of Wharton	343
	Whig temper of the Army	344
	Quarrel between the Lords and Commons	346
	The Regium Donum suspended	347
	Prorogation of Parliament	348
	Address of Convocation	349
VII.	Feud between the Government and the Corporation of Dublin	351
	The Duke of Shrewsbury made Viceroy	352
	Election riot	353
	The New Parliament	354
	Renewed quarrel with the Lords	355
	Complaints of the House of Commons	357
	Suspected regiments disbanded	358
	The Schism Act	359
	Death of Queen Anne and fall of the Tory Administration	360

CHAPTER III.

PROTESTANT ADMINISTRATION.

SECTION		PAGE
I.	Attitude of the Irish Catholics	362
	Effect of severity on the Irish mind	364
	The Wildgeese	365
	Swift's opinion of the prospects of the Catholics	366
II.	The operation of the Popery Acts	367
	The Catholics in 1715	370
	Cases under the Popery Acts	372
	How the law was carried out	374
III.	Strength of the Church Establishment	376
	Penal Code a dead letter	378
	Establishment of regular clergy in Dublin	379
	The odium of the Penal Code thrown on the Irish Protestants	380
IV.	Attempts to repeal the Test Clause	381
	Successful opposition of the Bishops	384
	Reasons for the promotion of Englishmen to Irish Sees	386
	Opinion of Mr. Henry Maxwell on the Dissenters' question	387
	The Test maintained	390
	A Toleration Act	391
	Protestant Emigration to America	392
V.	Condition of the Irish peasant	395
	Sheep farming	397
	Attempt to encourage agriculture	398
	English jealousy	399
	The Irish Corn Bill rejected in England	400
	Character of Archbishop Boulter	403
VI.	The gentry of the old blood	405
	Arthur Young's portrait of them in 1770	406
	Accounts of them in the earlier part of the century	407

BOOK III.

CHAPTER I.

IRISH IDEAS.

SECTION		PAGE
I.	Galway in 1711	408
	Sheep and cattle farming in Galway and Roscommon	409
	Resolution to exterminate the settlers	410
	Cattle houghing	411
	Identification of the parties concerned	414
II.	Abduction of women	417
	Difficulty of interference	418
	Specimen stories	420
	Cases of Elizabeth Dobbin and Catherine Stackpoole	421
	Case of Honor Keris	423
	Case of Rebecca White	425
	Case of Jane Tubman	427
	Combination of ferocity and piety	430
	Execution of James Cotter	432
	Revenge of the Irish on the Quakers	434
III.	Conspiracy to murder Captain Newdigate at Kilrush	436
IV.	The Bodkin Murder	441

CHAPTER II.

THE SMUGGLERS.

I.	Premium on the wool smuggling	446
	Mr. Hely Hutchinson's statement	447
	Extent of the practice	449
	Effects, political and social	450
	The gentlemen of Kerry	451
II.	The great Shelburne estate	452
	Mr. Donell Mahony, of Dunloe	453
	Kenmare Bay	455
	Story of Morty Sullivan	456
	The Bantry smugglers	458
	Murder of John Puxley	460
	The burning of Morty's den	462
	Daniel Connell one of Puxley's murderers	463

SECTION PAGE
III. The Smugglers at Valencia 466
Sylvester O'Sullivan a Government spy . . . 467
O'Sullivan at Killarney 469
A Vicar-General of the Established Church . . 470
Lord Fitzmaurice at Ross Castle 472
Kerry law 473
O'Sullivan's perils and escapes 475
IV. General anarchy 477
The Crosbies of Ballyhige 478
Wreck of a Danish East Indiaman on Ballyhige Sands 480
Her crew and cargo, being silver bullion, saved and carried to Ballyhige 482
Conspiracy in the county to seize the bullion chests 483
Attack on Ballyhige; the chests carried off . . 489
Division of the plunder 491
Complicity of the magistrates 492
Fruitless efforts of the Government to recover the silver or punish the robbers 495
Remonstrance of the Danish Minister . . . 498

BOOK IV.

CHAPTER I.

EFFORTS OF THE IRISH PARLIAMENT.

I. The bright side of the English settlers . . . 499
Exertions of Dean Swift 501
Ineffectual prosecutions 503
Social and political tracts 505
Berkeley, Bishop of Cloyne 507
Berkeley's remedies for Irish misery . . . 509
II. Education in Ireland; the Hedge Schools . . 511
Church Day Schools 512
Proposed extension of the system 513
The Charter Schools 514
Expenses and results 516
Limitation of funds 517
The Irish Pension List 519

SECTION		PAGE
	Subscriptions and donations	520
	Success and failure	521
III.	The Duchess of Kendal and Mr. Wood	522
	Patent for the copper coinage: real injury to be feared from it	523
	Resistance of Ireland	524
	Letter of Sir R. Walpole	525
	Perplexity of the Government	528
	Sir Isaac Newton's Report, and resolution to persevere	530
	The Drapier Letters	531
	Viceroyalty of Lord Carteret	533
	Proposed prosecution of Swift	537
	Enthusiasm for Swift in Dublin	538
	Carteret advises concessions	541
	Letter from Archbishop Boulter	543
	The Patent is withdrawn	544
IV.	Intended severities against the Irish priests	547
	Fiction and fact	548
	The registered and unregistered clergy	549
	Uncertain dealings with them by the Government	552
	Need of more systematic methods	555
	Alteration of the heads of a Bill by the Council	556
	Singular character of that alteration	557
	The Bill thrown out in the Irish House of Lords	558
	Further efforts in the Viceroyalty of the Duke of Grafton	559
	Postponement of the question in England	560
V.	Violent attempts to repress the Priesthood henceforward abandoned	562
	Doctor Synge's Sermon on Toleration	563
	Necessary limitations in Ireland	566
	Proposal for a legal recognition of the Catholic clergy	568
	Catholic Bishops in correspondence with the Government	569

CHAPTER II.

PROGRESS OF ANARCHY.

I.	Four methods of administering the Government of a dependent country	570
	The method adopted in Ireland the worst	572

SECTION		PAGE
	Attitude of the English Government towards the Catholics	573
	Selection of magistrates	576
	England's policy	577
II.	Doubts on the Disarming Act	578
	The Catholic gentlemen resume their swords	579
	Singular scene at Trim	580
	Address of the Catholics to George the Second	583
	Alarm of insurrection	585
	New Disarming Act and its consequences	587
III.	Ireland without a history	588
	Efforts of the resident gentry	590
	Reform of the gaols	592
	Social improvements	593
	The abductions and the bench of Bishops	595
IV.	The nobler section of the country gentlemen	596
	Galway in 1747	598
	Colonel Eyre and the Government	600
	Disappearance of Protestants	603
V.	Irish conception of liberty	604
	Dawn of political patriotism	606
	Charles Lucas	607
	Parliamentary corruption	609
	Primate Stone	610
VI.	Viceroyalty of the Duke of Bedford	614
	Complaints of Parliament	615
	Letter of Bedford to Lord Chatham	618
	Irish politicians	620
	Treasury scandal	621
	French War	622
	Riot in Dublin	625
	Lord Chatham on Irish magistrates and Government officers	628
VII.	Political profligacy	631
	The consciences of Irish patriots	632

THE ENGLISH IN IRELAND

IN THE

EIGHTEENTH CENTURY.

BOOK I.

CHAPTER I.

PRELIMINARY.

SECTION I.

When two countries, or sections of countries, stand geographically so related to one another that their union under a common government will conduce to the advantage of one of them, such countries will continue separate as long only as there is equality of force between them, or as long as the country which desires to preserve its independence possesses a power of resistance so vigorous that the effort to overcome it is too exhausting to be permanently maintained.

A natural right to liberty, irrespective of the ability to defend it, exists in nations as much as and no more than it exists in individuals. Had nature meant us to live uncontrolled by any will but our own,

BOOK I.

we should have been so constructed that the pleasures of one would not interfere with the pleasures of another, or that each of us would discharge by instinct those duties which the welfare of the community requires from all. In a world in which we are made to depend so largely for our well-being on the conduct of our neighbours, and yet are created infinitely unequal in ability and worthiness of character, the superior part has a natural right to govern; the inferior part has a natural right to be governed; and a rude but adequate test of superiority and inferiority is provided in the relative strength of the different orders of human beings.

Among wild beasts and savages might constitutes right. Among reasonable beings right is for ever tending to create might. Inferiority of numbers is compensated by superior cohesiveness, intelligence, and daring. The better sort of men submit willingly to be governed by those who are nobler and wiser than themselves; organization creates superiority of force; and the ignorant and the selfish may be and are justly compelled for their own advantage to obey a rule which rescues them from their natural weakness. There neither is nor can be an inherent privilege in any person or set of persons to live unworthily at their own wills, when they can be led or driven into more honourable courses; and the rights of man—if such rights there be—are not to liberty, but to wise direction and control.

Individuals cannot be independent, or society cannot exist. With individuals the contention is not for freedom absolutely, but for an extension of the limits within which their freedom must be restrained. The independence of nations is

spoken of sometimes as if it rested on another foundation—as if each separate race or community had a divine titledeed to dispose of its own fortunes, and develop its tendencies in such direction as seems good to itself. But the assumption breaks down before the enquiry, What constitutes a nation? And the right of a people to self-government consists and can consist in nothing but their power to defend themselves. No other definition is possible. Are geographical boundaries, is a distinct frontier, made the essential? Mountain chains, rivers, or seas form, no doubt, the normal dividing lines between nation and nation, because they are elements of strength, and material obstacles to invasion. But as the absence of a defined frontier cannot take away a right to liberty where there is strength to maintain it, a mountain barrier conveys no prerogative against a power which is powerful enough to overleap that barrier, nor the ocean against those whose larger skill and courage can convert the ocean into a highway.

As little can a claim to freedom be made coincident with race or language. When the ties of kindred and of speech have force enough to bind together a powerful community, such a community may be able to defend its independence. If it fail, the pretension in itself has no claim on the consideration of the rest of mankind. Distinctions of such a kind are merely fanciful and capricious. All societies of men are, in the nature of things, forced into relations with other societies of men. They exchange obligations, confer benefits, or inflict injuries on each other. They are natural friends or natural rivals; and so agree to unite, or else find themselves in collision, when the weaker must give way. The individual has to sacrifice his in-

BOOK I.

dependence to his family, the family to the tribe; the tribe merges itself in some larger community; and the time at which these successive surrenders of liberty are demanded depends practically on nothing else than the inability to persist in separation. Where population is scanty and habits are peaceful, the head of each household may be sovereign over his children and servants, owing no allegiance to any higher chief or law. As among the Cyclops—

θεμιστεύει ἕκαστος
παίδων ἠδ' ἀλόχων οὐδ' ἀλλήλων ἀλέγουσιν.

Necessity and common danger drive families into alliance for self-defence; the smaller circles of independence lose themselves in ampler areas; and those who refuse to conform to the new authority are either required to take themselves elsewhere, or, if they remain and persist in disobedience, may be treated as criminals.

A tribe, if local circumstances are favourable, may defend its freedom against a more powerful neighbour, so long as the independence of such a tribe is a lesser evil than the cost of its subjugation; but an independence so protracted is rarely other than a misfortune. On the whole, and as a rule, superior strength is the equivalent of superior merit; and when a weaker people are induced or forced to part with their separate existence, and are not treated as subjects, but are admitted freely to share the privileges of the nation in which they are absorbed, they forfeit nothing which they need care to lose, and rather gain than suffer by the exchange. It is possible that a nobler people may, through force of circumstances, or great

numerical inferiority, be oppressed for a time by the brute force of baser adversaries; just as, within the limits of a nation, particular classes may be tyrannized over, or opinions which prove in the end true, may be put down by violence, and the professors of such opinions persecuted. But the effort of nature is constantly to redress the balance. Where freedom is so precious that without it life is unendurable, men with those convictions fight too fiercely to be permanently subdued. Truth grows by its own virtue, and falsehood sinks and fades. An oppressed cause, when it is just, attracts friends, and commands moral support, which converts itself sooner or later into material strength. As a broad principle it may be said, that as nature has so constituted us that we must be ruled in some way, and as at any given time the rule inevitably will be in the hands of those who are then the strongest, so nature also has allotted superiority of strength to superiority of intellect and character; and in deciding that the weaker shall obey the more powerful, she is in reality saving them from themselves, and then most confers true liberty when she seems most to be taking it away. There is no freedom possible to man except in obedience to law; and those who cannot prescribe a law to themselves, if they desire to be free must be content to accept direction from others. The right to resist depends on the power of resistance. A nation which can maintain its independence possesses already, unless assisted by extraordinary advantages of situation, the qualities which conquest can only justify itself by conferring. It may be held to be as good in all essential conditions as the nation which is endeavouring to overcome it; and human society has rather lost than gained

BOOK I.

when a people loses its freedom which knows how to make a wholesome use of freedom. But when resistance has been tried and failed—when the inequality has been proved beyond dispute by long and painful experience—the wisdom, and ultimately the duty, of the weaker party is to accept the benefits which are offered in exchange for submission: and a nation which at once will not defend its liberties in the field, nor yet allow itself to be governed, but struggles to preserve the independence which it wants the spirit to uphold in arms by insubordination and anarchy and secret crime, may bewail its wrongs in wild and weeping eloquence in the ears of mankind,—may at length, in a time when the methods by which sterner ages repressed this kind of conduct are unpermitted, make itself so intolerable as to be cast off and bidden go upon its own bad way: but it will not go for its own benefit. It will have established no principle, and vindicated no natural right. Liberty profits only those who can govern themselves better than others can govern them, and those who are able to govern themselves wisely have no need to petition for a privilege which they can keep or take for themselves.

SECTION II.

CHAP. I.

In the scene before Harfleur, in the play of Henry the Fifth, there are introduced representatives of the three nations which remained unsubdued after England was conquered by the Normans, and the co-ordination of which, under a common sovereignty, was a problem still waiting to be accomplished. Careless always of antiquarian pedantry, Shakespeare drew men and women as he saw them round him, in the London of his own day; and Fluellen, Captain Jamie, and Captain Macmorris were the typical Welshman, Scot, and Irishman, as they were to be met with in Elizabeth's trainbands.

Fluellen, hot-blooded, voluble, argumentative, is yet most brave, most loyal, and most honourable. Among his thousand characters there is not one which Shakespeare has sketched more tenderly, or with a more loving and affectionate irony. Captain Jamie is 'a marvellous falerous gentleman,' well read in the ancient wars, learned 'in the disciplines of the Romans,' and able to hold discourse on them with any man, but shrewd and silent, more prone to listen than to speak, more given to blows than to words, and determined only 'to do good service, or ligge in the ground for it.' Macmorris, though no less brave than his companions, ready to stand in the breach while 'there were throats to be cut, or work to be done,' yet roars, rants, boasts, swears by his father's soul, and threatens to cut off any

BOOK I.

man's head who dares to say that he is as good as himself.

Captain Jamie never mentions Scotland: we learn his country from his dialect, and from what others say of him. Fluellen, a Welshman to the last fibre, yet traces his Welsh leek to the good service which Welshmen did, 'in a garden where leeks did grow,' at Crecy, under the English Edward. He delights in thinking that all the waters of the Wye cannot wash his majesty's Welsh blood out of his body. Macmorris, at the mention of his nation, as if on the watch for insults from Saxon or Briton, blazes into purposeless fury. 'My nation! What ish my nation? Is a villain, and a bastard, and a knave, and a rascal? What ish my nation? Who talks of my nation.'

Had William fallen at Hastings instead of Harold, and had the Norman invasion failed, it is likely that the Lowland Scots would have followed the example of Northumberland, and have drifted gradually into combination with the rest of the island. The Conquest made the difficulty greater; but if the Norman kings had been content to wait for the natural action of time, increasing intercourse and an obvious community of interest would have probably antedated the Union by several centuries. The premature violence of Edward the First hardened Scotland irrecoverably into a separate nationality. The determination to defend their independence created the patriotic virtues which enabled the Northern Britons to hold at bay their larger rival. The Union, when it came about at last, was effected on equal terms. Two separate self-governed peoples entered slowly and deliberately into voluntary partnership on terms

of mutual respect. The material wealth which Scotland contributed to the empire was comparatively insignificant; but she introduced into it a race of men who had been hammered to a temper which made them more valuable than mountains of gold; and among the elements of greatness in the country known to later history as Great Britain, the rugged Scotch resolution to resist conquest to the death, tried in a hundred battles, holds a place second to none.

The Lowland Scots were Teutons; the language of the Lothians was not distinguishable from the language of Northumberland; and the Union with Scotland might have seemed so far an easier feat than the Union with Wales. On the other hand, the Welsh were fewer in number, less protected by situation, less able to obtain help from other quarters. They were neither slaves nor cowards. They loved their freedom, they fought for it long and desperately, rising again and again when civil wars in England offered them a gleam of hope. When resistance became obviously hopeless, they loyally and wisely accepted their fate. They had not to suffer from prolonged severity, for severity was unnecessary. There was no general confiscation, no violent interference with local habits or usages. They preserved their language with singular success, and their customs so far as their customs were compatible with English law; while in exchange for independence they were admitted to the privileges of English citizenship in as full measure as the English themselves. They continued proud of their nationality, vain with true Celtic vanity of pedigrees which lose themselves in infinity. Yet, being wisely handled, restrained only in essentials, and left to their own

BOOK I.

way in the ordinary current of their lives, they were contented to forget their animosities; they ceased to pine after political liberty which they were consciously unable to preserve; and finding themselves accepted on equal terms as joint inheritors of a magnificent empire, the iron chain became a golden ornament. Their sensibilities were humoured in the title of the heir of the crown. In bestowing a dynasty upon England they found a gratification for their honourable pride. If they have contributed less of positive strength than the Scots to the British empire, they have never been its shame or its weakness; and the retention of a few harmless peculiarities has not prevented them from being wholesome and worthy members of the United Commonwealth.

Ireland, the last of the three countries of which England's interest demanded the annexation, was by nature better furnished than either of them with means to resist her approaches. Instead of a narrow river for a frontier, she had seventy miles of dangerous sea. She had a territory more difficult to penetrate, and a population greatly more numerous. The courage of the Irish was undisputed. From the first mention of the Irishman in history, faction fight and foray have been the occupation and the delight of his existence. The hardihood of the Irish kern was proverbial throughout Europe. The Irish soldiers, in the regular service of France and Spain, covered themselves with distinction, were ever honoured with the most dangerous posts, have borne their share in every victory. In our own ranks they have formed half the strength of our armies, and detraction has never challenged their right to an equal share in the honour which those armies have won.

Yet, in their own country, in their efforts to shake off English supremacy, their patriotism has evaporated in words. No advantage of numbers has availed them; no sacred sense of hearth and home has stirred their nobler nature. An unappeasable discontent has been attended with the paralysis of manliness; and, with a few accidental exceptions, continually recurring insurrections have only issued in absolute and ever disgraceful defeat.

Could Ireland have but fought as Scotland fought, she would have been mistress of her own destinies. In a successful struggle for freedom, she would have developed qualities which would have made her worthy of possessing it. She would have been one more independent country added to the commonwealth of nations; and her history would have been another honourable and inspiriting chapter among the brighter records of mankind. She might have stood alone; she might have united herself, had she so pleased, with England on fair and equal conditions; or she might have preferred alliances with the Continental powers. There is no disputing against strength, nor happily is there need to dispute, for the strength which gives a right to freedom, implies the presence of those qualities which ensure that it will be rightly used. No country can win and keep its freedom in the presence of a dangerous rival, unless it be on the whole a well and justly governed country; and where there is just government the moral ground is absent on which conquest can be defended or desired.

Again, could Ireland, on discovering like the Welsh that she was too weak or too divided to encounter England in the field, have acquiesced as the Welsh

BOOK I.

acquiesced, in the alternative of submission, there was not originally any one advantage which England possessed which she was not willing and eager to share with her. If England was to become a great power, the annexation of Ireland was essential to her, if only to prevent the presence there of an enemy; but she had everything to lose by treating her as a conquered province, seizing her lands, and governing her by force; everything to gain by conciliating the Irish people, extending to them the protection of her own laws, the privileges of her own higher civilization, and assimilating them on every side, so far as their temperament allowed, to her subjects at home.

Yet Ireland would neither resist courageously, nor would she honourably submit. Her chiefs and leaders had no real patriotism. In Scotland, though the nobles might quarrel among themselves, they buried their feuds and stood side by side when there was danger from the hereditary foe. There was never a time when there was not an abundance of Irish who would make common cause with the English when there was a chance of revenge upon a domestic enemy, or a chance merely of spoil to be distributed. All alike, though they would make no stand for liberty, as little could endure order or settled government. Their insurrections, which might have deserved sympathy had they been honourable efforts to shake off an alien yoke, were disfigured with crimes which, on one memorable occasion at least, brought shame on their cause and name. When insurrection finally failed, they betook themselves to assassination and secret tribunals; and all this, while they were holding up themselves and their wrongs as if they were the victims of the most abominable tyranny, and inviting

the world to judge between them and their oppressors.

Nations are not permitted to achieve independence on these terms. Unhappily, though unable to shake off the authority of England, they were able to irritate her into severities which gave their accusations some show of colour. Everything which she most valued for herself—her laws and liberties, her orderly and settled government, the most ample security for person and property—England's first desire was to give to Ireland in fullest measure. The temper in which she was met exasperated her into harshness and at times to cruelty; and so followed in succession alternations of revolt and punishment, severity provoked by rebellion, and breeding in turn fresh cause for mutiny, till it seemed at last as if no solution of the problem was possible save the expulsion or destruction of a race which appeared incurable.

SECTION III.

BOOK I.

THERE are many ways in which a conquered but still reluctant people may be dealt with, when the interest of the conquerors is rather in the country itself than in the inhabitants who occupy it. They may be exterminated, either wholly, as the Red races are being exterminated in North America, or in part, as the Gauls were by Cæsar, and the Mexicans by Cortes and his successors; or they may be held continuously down by the sword, as the North of Italy was held by Austria; or again armed colonists may be settled on the soil who, in exchange for land on easy terms undertake the maintenance of order, as was done in Ulster under James the First, and in Leinster and Munster by Cromwell.

The Norman occupation of Ireland in the twelfth century differed materially from all and any of these methods. The Normans were not properly colonists; they were a military aristocracy whose peculiar mission was to govern men. When a tract of land was allotted to a Norman baron, it was not at first an estate out of which to extract rents to spend upon his own pleasures, so much as a fief, over which he was a ruler responsible to the crown. The Irish, when the Normans took charge of them, were, with the exception of the clergy, scarcely better than a mob of armed savages. They had no settled industry and no settled habitations, and scarcely a conception of property. The poor-spirited and the weak were told off for such wretched tillage

as could not be dispensed with. The only occupation considered honourable was fighting and plunder; and each tribe roamed within its own limits, supported either by the pillage of its neighbours or the wild cattle which wandered through the forests. They had some human traits. They were fond of music and ballad-singing. They were devout after a fashion of their own; and among the monks and friars there were persons who had pretensions to learning. But the religion of the Irish Celts, which three centuries earlier had burnt like a star in Western Europe, had degenerated into a superstition, and no longer served as a check upon the most ferocious passions. When Giraldus Cambrensis was sent by Henry the Second to report on Ireland, their chief characteristics were treachery, thirst for blood, unbridled licentiousness, and inveterate detestation of order and rule.[1] To

[1] Giraldus attributes the moral condition of the people to the neglect of the bishops and clergy. 'In episcopis et prælatis,' he says, 'hoc fere solum reprehensionis dignum invenio quod in populi tam enormiter delinquentis correctione desides nimis sunt et negligentes. . . . Si prælati a tempore Patricii per tot annorum curricula prædicationi et instructioni item increpationi et correptioni pro officii debito viriliter institissent et prænotatas gentis enormitates aliquatenus extirpassent, aliquam in eis procul dubio formam honestatis et religionis impressissent. Sed non fuit in ipsis qui tanquam tuba vocem exaltaret.'

They lived, he said, retired in their cloisters, given up to contemplation.

'Hujus terræ prælati intra ecclesiarum septa de antiquâ consuetudine se continentes, contemplationi solum fere semper indulgent. . . . Unde accidit ut nec verbum Dei populo prædicent nec scelera eorum eis annuntient nec in grege commisso vel extirpent vitia vel inserant virtutes.'—*Topographia Hibernica*, Distinctio iii. cap. 28.

There has always been a difficulty in understanding how, among so lawless a people, the churches and monasteries escaped destruction. The supernatural character attaching to the clergy was perhaps in part the cause. Giraldus, however, says, that some stronger protection was required, and attributes it to the power of an Irish saint's curse, and his quick, sharp, promptitude in pronouncing it. 'Hoc autem mihi notabile videtur quod sicut nationis istius homines hâc in vitâ mortali præ aliis gentibus impatientes et præcipites sunt ad vindictam, sic et in morte vitali meritis

BOOK I.

such a people, needing bit and bridle, liberty was only mischievous, and the Normans came to take direction of them. How their coming was brought about in detail—how Dermot MacMurrough, prince of Leinster, was driven out and fled for help to England—how he made himself a vassal of Henry the Second—under a compact already sanctioned in the famous grant of Ireland by Pope Adrian—this and the history of the conquest which followed does not need repeating. The Normans in occupying both England and Ireland were but fulfilling the work for which they were specially qualified and gifted, and the grant of Adrian was but the seal of approbation by the spiritual ruler of Christendom. They did not destroy the Irish people; they took the government of them merely, as the English have done in India, dispossessing the chiefs, changing the loose order of inheritance into an orderly succession, giving security to life and property, and enabling those who cared to be industrious to reap the fruits of their labours without fear of outrage and plunder. Their right to govern lay in their capability of governing and in the need of the Irish to be governed. The Pope may have had in view other objects of his own. The Irish Church claimed immunities from the Roman jurisdiction which the irony of fate selected the Anglo-Normans to abrogate. Celtic Ireland was neither

jam excelsi præ aliarum regionum sanctis, *animi vindicis esse videntur*. Nec alia mihi ratio eventus hujus occurrit nisi quoniam gens Hibernica castellis carens, prædonibus abundans, ecclesiarum potius refugiis quam castrorum municipiis, et præcipue ecclesiastici viri seque suaque tueri solent, divinâ providentiâ simul et indulgentiâ, gravi frequentique animadversione in ecclesiarum hostes opus fuerat; ut et sic ab ecclesiasticâ pace impiorum pravitas procul arceatur et ipsis ecclesiis ab irreverenti populo debita veneratio vel serviliter exhibeatur.' —*Topographia Hibernica*, Distinctio ii. cap. 55.

Papal, nor inclined to submit itself to the Papacy, till Henry the Second riveted the Roman yoke upon them. But the true justification of the conquest lay in the character of the conquerors. They were born rulers of men, and were forced, by the same necessity which has brought the decrepit kingdoms of Asia under the authority of England and Russia, to take the management, eight centuries ago, of the anarchic nations of Western Europe.

Nor did Ireland fail on the outset to profit by their presence. For two centuries after the landing of Strongbow and Fitzstephen large sections of the country were subdued into some kind of order and arrangement. The Celtic chiefs were driven into the mountains. Fitzgeralds, Lacies, De Burghs, De Courcies, Blakes, Butlers, Fitzurzes took the places of M'Carthies, O'Neils, O'Briens, O'Sullivans, and O'Connors. Those of the old race who remained in the homes of their fathers were compelled to conform to some kind of rule. The new comers rooted themselves into the soil, built castles, gathered about them retainers of their own blood, who overmastered, held down, and, in some degree, transformed the wild and wayward vagabonds, whom they forced to become their subjects. The work begun by the Danes was carried on and developed. Seaport towns—Dublin, Wexford, Waterford, Cork, Limerick—of which the sea-rovers from the Baltic had laid the foundations, were enlarged, strengthened, surrounded with walls, and governed like English cities. Trading ships went and came. Outside the fortifications, and within the shelter of their garrisons, round Dublin especially, the country became settled and cultivated. Tenants took leases of lands

BOOK I.

and raised houses on them; while in the interior, with incessant fighting and arduous police work which knew neither end nor respite, the heads of the Norman families hammered the unwilling metal of the Celts into some consistency, and forced them into habits less extravagantly wild and confused. The four provinces were mapped out into districts. Inland towns were raised, fortified, and provided with sovereigns (mayors) and aldermen, and the forms, at least, of free municipal institutions. Sheriffs and magistrates were chosen; and the Brehon traditions—a code of customs in which crime was a word without meaning, and the most savage murders could be paid for with a cow or a sheep—began to yield before the English common law, as quiet and industry recognized the need and value of protection. The progress was slow. The prospect seemed often desperate. Unstable as water, the Irish temperament wanted cohesiveness to bear the shapes which were imprinted on it. And the work was the harder because—and it is the same difficulty which has been at once the honour and perplexity of English relations with Ireland from first to last—because the effort of the conquerors was to govern the Irish not as a vassal province but as a free nation; to extend the forms of English liberty—her trials by jury, her local courts, her parliaments—to a people essentially unfit for them; and, while governing Ireland, to teach her at the same time the harder lesson to govern herself.

In contrast with the age which succeeded it, the century of Irish life which followed the Conquest was comparatively humane and rational. Authority was a real thing; and it might have seemed that, by the side of the Anglo-Norman civilization which was

shaping itself into consistency in England, a Norman-Celtic society, parallel to it though with subsidiary differences, was tending to form itself with equal firmness in the sister island. But the same causes which, at a later period, undermined the Protestant ascendancy were at work with equal potency four hundred years before.

SECTION IV.

BOOK I.

A CONQUERING race can retain its peculiar characteristics, unaffected by the local influences and tendencies of the people by which it is surrounded, as long only as it preserves the most intimate relations with its kindred elsewhere. Unless strengthened by a continuous stream of importation the pure blood of the conquerors declines. They recruit themselves by intermarriages with the natives. They form alliances and friendships; they find the work of government more easy by humouring the customs and imitating the manners which they see round them; and when human beings are thrown together, especially if there is no difference of religion to keep them apart, it is at once inevitable that kindly associations shall rise between them, and the character of both will tend to assume a colouring in which the points of agreement will be more visible than the points of difference. Were the English in India cut off by any sudden convulsion from their native country, they would still probably, if they so wished, be able to maintain their sovereignty, but it would be at the expense of becoming themselves Orientalised. Were there nothing else to produce a change, their children would inevitably catch a tone from their servants and nurses. Native wives and mistresses would work alteration in the blood; and, in spite of Christianity, six or seven generations would find them half transmuted into an Asiatic type. The Normans in England, though many of them retained their estates in

France, and went and came, and French continued for centuries the language of the court, and, for a time, it seemed as if England might become a mere appanage of the Plantagenets' continental dominions, yet in each generation approached closer to the Saxons, till at length the distinction disappeared. Their Irish kindred, filtered many of them first through Wales, and in the process already partially Celticized, were exposed to trials infinitely more severe. Those to whom Ireland was distasteful refused to make their homes there, and forsook it not to return. Those who remained were left for the most part to themselves. The Irish Sea, thrice the breadth of the Straits of Dover, cut them off from their old connections. Surrounded by swarms of enemies, they had to stand by such strength as they could rally to them on the spot, and made the most of such of the Irish as they could persuade into loyalty. In the Irish character too they came in contact with elements peculiarly fitted to work upon them. From a combination of causes—some creditable to them, some other than creditable—the Irish Celts possess on their own soil a power greater than any other known family of mankind of assimilating those who venture among them to their own image. Light-hearted, humorous, imaginative, susceptible through the entire range of feeling, from the profoundest pathos to the most playful jest, if they possess some real virtues they possess the counterfeits of a hundred more. Passionate in everything—passionate in their patriotism, passionate in their religion, passionately courageous, passionately loyal and affectionate—they are without the manliness which will give strength and solidity to the sentimental part of their disposi-

BOOK I.

tions; while the surface and show is so seductive and so winning that only experience of its instability can resist the charm.

The incompleteness of character is conspicuous in all that they do and have done; in their history, in their practical habits, in their arts and in their literature. Their lyrical melodies are exquisite, their epic poetry is ridiculous bombast. In the lives of their saints there is a wild if fantastic splendour; but they have no secular history, for as a nation they have done nothing which posterity will not be anxious to forget; and if they have never produced a tolerable drama, it is because imagination cannot outstrip reality. In the annals of ten centuries there is not a character, male or female, to be found belonging to them with sufficient hardness of texture to be carved into dramatic outline. Their temperaments are singularly impressionable, yet the impression is incapable of taking shape. They have little architecture of their own, and the forms introduced from England have been robbed of their grace. Their houses, from cabin to castle, are the most hideous in the world. No lines of beauty soften anywhere the forbidding harshness of their provincial towns; no climbing rose or creeper dresses the naked walls of farmhouse or cottage. The sun never shone on a lovelier country as nature made it. They have pared its forests to the stump, till it shivers in damp and desolation. The perceptions of taste which belong to the higher orders of understanding, are as completely absent as truthfulness of spirit is absent, or cleanliness of person and habit. The Irish are the spendthrift sister of the Arian race. Yet there is notwithstanding a fascination about them in their old land and in the sad and strange associations of their

singular destiny. They have a power of attraction which no one who has felt it can withstand. Brave to rashness, yet so infirm of purpose, that unless they are led by others their bravery is useless to them; patriots, yet with a history which they must trick with falsehood to render it tolerable even to themselves; imaginative and poetical, yet unable to boast of one single national work of art; attached ardently to their country, yet so cultivating it that they are the byeword of Europe; they appeal to sympathy in their very weakness; and they possess and have always possessed some qualities the moral worth of which it is impossible to over-estimate, and which are rare in the choicest races of mankind.

Amidst their weaknesses, their confident boastings and imperfect performances, the Irish have shown themselves at all times, and in all places, capable of the most loyal devotion to anyone who will lead and command them. They have not been specially attached to chiefs of their own race. Wherever and in whomsoever they have found courage and capacity, they have been ready with heart and hand to give their services; and whether at home in sacrificing their lives for their chiefs, or as soldiers in the French or English armies, or as we now know them in the form of the modern police, there is no duty, however dangerous and difficult, from which they have been found to flinch, no temptation however cruel which tempts them into unfaithfulness. Loyalty of this kind, though called contemptuously a virtue of barbarism, is a virtue which, if civilization attempts to dispense with it, may cause in its absence the ruin of civilization. Of all men the most likely to appreciate it were the Norman barons; for personal fidelity

BOOK I.

of man to man lay at the heart of the feudal organization. But nevertheless in Ireland it was their temptation as well as their strength. To the Irish kern it mattered little whether his chief was a Geraldine or an O'Connor ; it mattered much whether he was to be ruled under the imported laws of the stranger, or by the customs and traditions of his own people ; whether when he had found a chief who would lead him to annual victory he was to be allowed to enjoy the fruits of victory in the old fashion, or was forced to be content with barren honour and the praise of his master. He would have accepted the new conditions had it been possible to enforce them for a few generations while habits of order could grow. But the times were pressing; the barons had much work to do and few men of their own to do it with. Money was scarce with them, and rewards of other kinds were equally scarce ; while plunder was easy and satisfactory, and was the time-honoured mode by which services in war were paid for. The baron and his Irish retainers found the relations between them grow easy when the customs of the country were allowed to stand; and when a Butler or a Lacy, not contented with leading his people to spoil and victory, adopted their language and their dress, and became as one of themselves, the affection of which they were the objects among the people grew at once into adoration. Then old Celtic names were dropped. The fighting men of Galway became the De Burgh's men and called themselves Burkes. In Kerry and Limerick half the inhabitants became Geraldines. The Ormond or the Desmond of the day became a kind of sovereign. He forgot more and more that he was come to Ireland to introduce English order and manners; and to

strengthen his authority and conciliate his subjects, he left them to their own laws and their own ways, while they in turn became the instruments of his ambition. His Norman dependents followed the example, took Irish wives, and followed Irish fashions; and if on one side, and in some places, the conquerors had introduced civilization, elsewhere they had but lent fresh strength and sinew to the very thing which they were sent to subdue.

The metamorphosis of the feudal baron into the Celtic chief was not completed without efforts from the nobler part of the English settlers to arrest the downward progress. By the statute of Kilkenny, in 1367, it was made treason for an Englishman of birth or blood to accept or govern by the laws of the Brehons. Intermarriage with the Irish, or fostering[1] with the Irish, was made treason. Those who had chosen to adopt Irish manners, Irish names or language, were threatened with forfeiture. Private war between the great families had become as frequent and as scandalous as before the Conquest. Swords were forbidden to be drawn without orders from the Lord Deputy; and wardens of the peace were named for every county to see the law obeyed. The attempt to keep the races apart has lately been considered vain and impolitic; but the framers of these statutes understood the conditions more clearly than those who condemn them. The interfusion of races did not mean the elevation of the Irish to the level of their rulers, but the degradation of the ruler to the state of those whose fashions it was his business to extirpate. It meant that every separate potentate was

[1] Entrusting the children to Irish foster-nurses, the most fatal of all the means by which the degeneracy was brought about.

BOOK I.

to assume a savage independence, and, for the sake of himself and his immediate dependents, to extend and perpetuate the lawlessness which was Ireland's curse.

The Kilkenny Parliament was followed by fresh efforts on the part of England. Richard the Second appeared in person on the scene, brought the chiefs upon their knees, read Ireland the often-repeated lesson that England had but to exert herself to assert an instant and absolute supremacy. Absenteeism, the deepest root of the mischief, had already been at work. Lords and gentlemen who retained most completely the English character, and whose presence in Ireland, therefore, was most indispensable, had learnt to prefer the society of their friends at home to the pain and trouble of coercing banditti in Donegal or Galway. They had reduced their connection with their estates to drawing rent or revenues from them; and the old families came back into their places charged with payments which on such terms were no more than robbery. Civilization was not sufficiently advanced to tolerate modern views of the rights of property. They were ordered back to their posts under pain of confiscation.

Unhappily, a cycle of civil war was opening in England itself. Richard, the slave of parasites and courtiers, was shaking on his throne. Three times he crossed to Ireland: on his last visit, in 1399, he was perhaps looking to his subjects there, as Charles the First and James the Second looked afterwards, to save him from revolution at home. He failed and fell, entailing in his overthrow a century of convulsions. The House of Lancaster, to divert attention and strengthen their imperfect titles by

gratifying the national vanity, flung themselves into conquest. Had the army which conquered at Agincourt been directed upon Ireland, had the genius which for a brief interval turned France into an English province, been addressed to the subjugation and settlement of England's own dominions, Henry the Fifth might have left a less distinguished name, but the Irish difficulty might have been for ever ended, and he would have bequeathed to his son a less fatal inheritance. But Ireland, as in a later century, was neglected as too inglorious a field for enterprise, and was left to her own will, to tear in pieces the parchment laws which there was no longer a sword to enforce. As disaster thickened in France the change in Ireland was significantly marked. So far from absenteeism being checked, the wars had recalled a yet larger number of the Norman-Irish leaders to take part in the struggle. The pretence of carrying English law through the whole country was formally abandoned. The four counties known as the English Pale[1] were divided from the rest of the island, where the Irish, except in the sea towns, were left to themselves. The English were required by a statute of Henry the Sixth to distinguish themselves by a difference in the beard.[2] Those of the natives who cared to be protected by English law were allowed to live within the frontier on condition of adopting the English characteristics. Those beyond the Pale came to be called the king's Irish enemies. The English were forbidden to hold intercourse with them, visit them, or even trade with them; and an Irishman found inside the border was liable to arrest

[1] Dublin, Meath, Kildare, and Louth.

[2] Shaving the upper lip.

BOOK I.

as a spy.[1] Every 'liegeman' was permitted to kill notorious thieves,[2] and received a reward from the county for each thief destroyed, which the sheriff was bound to levy. As a corollary on this statute arose the famous saying, that it was no felony to kill an Irishman. Those who formally refused submission to English law could not be allowed its protection.

Such measures were symptoms of growing weakness, and of the recovering strength of the Irish clans. The Wars of the Roses followed, and completed the collapse. England was disabled for half a century from further efforts, and the counties of the Pale followed the rest of the island. The best of the remaining English went back to give their swords to Red Rose or White, and the English interest in Ireland was reduced to the families who cared least for their old homes, and had identified themselves most completely with the land of their adoption. The O's and the Macs repossessed themselves of their old inheritances. Ulster they recovered altogether. In the south and west the Anglo-Normans held their ground, but only by having become denationalized themselves. Geraldines, Butlers, and Burkes shared the country with O'Neils, O'Donnells, O'Connors, O'Rourkes, O'Briens, and O'Sullivans, scarce distinguishable from them in habit or appearance, with no law but the Brehon. They made war on each other, maraud-

[1] *Irish Statutes*, 25 Hen. VI. cap. 4.

[2] It was not necessary that they should be caught in the act of robbery. 'It shall be lawful to every liegeman of our sovereign lord the King—all manner notorious known thieves, *and* thieves found robbing and spoiling and breaking into houses by night or day, and thieves found in the manner—to kill them.'—28 Hen. VI. cap. 3.

ing, burning, killing, driving each other's cattle, as if they were no better than so many robber chieftains, and owned no more obedience to England than an acknowledgment of titular authority. For the first time for three hundred years Ireland was in full and ample possession of all the privileges of home rule.[1]

Bosworth Field and the accession of the House of Tudor gave peace to England, and brought with it the necessity of facing the Irish problem once more. The English sovereigns, though not yet calling themselves Kings of Ireland, were Domini, or lords paramount there; and, having claimed supremacy over the island, were responsible to God and man for the administration of some kind of justice there. The unwelcome task might still have been postponed, but the Irish lords themselves forced forward the consideration of it. They considered, as their descendants considered on the deposition of James the Second, that, though attached to the English Crown, they were not attached to England, and had a right to determine for themselves who was or was not the lawful possessor of the throne. The White Rose was, on the whole, the favourite with them; and pretenders, who came to them as its representatives, were instantly made welcome. They crowned Lambert Simnel in Dublin. When Lambert Simnel broke down they received Perkin Warbeck, and met him in a Parliament. These phantom figures soon vanished, but their reception decided Henry the Seventh to make a resolute attempt to put the bridle

[1] The sea towns remained English, the magistrates seemingly having so little to do in the way of secular management, or so little care to do it, that in 1483 the mayors and bailiffs of Waterford applied for and obtained permission to go on pilgrimage to St. James of Compostella.—*Cox*, vol. i. p. 175.

BOOK I.

once more between their teeth. An account of Ireland written at this time by an Englishman calling himself 'Panderus,' or 'the Pander,' shows with some clearness the problem to be solved.[1]

Half Louth, half Dublin, half Meath, and half Kildare were still nominally subject to English law; but between the extortions of the officials of the court, the subsidies paid for protection which was not furnished, and the consequent necessity of paying black mail to the chiefs of the Irish, 'the English folk' within the Pale were reckoned 'more oppressed and more miserable than any others in the whole country;' 'none in any part of the known world were so evil be seen in town and field, so brutish, so trod under foot, and with so wretched a life.' Outside these limits, the two great houses of the Geraldines in Leinster and Munster, the O'Briens in Clare, the Butlers in Kilkenny, the O'Neils and O'Donnells in the north, exercised a rude supremacy. Under their titular leadership the country was shared out between sixty Irish chiefs of the old blood and 'thirty great captains of the English noble folk,' each of whom 'lived only by the sword, and obeyed no temporal power but only himself that was strong.' These ninety leaders, on an average, commanded seven or eight hundred swords apiece; but their retainers, when their services were unrequired by the chief, were generally fighting among themselves. The captains among the Irish were chosen by 'fortmayne.' The head of the clan was he that had 'the strongest arm.' Every lad of spirit under him who

[1] The Pander's account is embodied in 'A Report on the State of Ireland in 1515,' and forms apparently the whole substance of that report.—*State Papers*, Hen. VIII. vol. ii. p. 1.

could gather a score or two of followers set up for himself, seized or built some island or forest stronghold, where he lived by his right arm on the plunder of his neighbours, and fought his way to the first place under his lord.

Their private habits were wild as their occupations were lawless. In the latter half of the sixteenth century, when a distinct view of them begins to be obtainable, the cattle and human beings lived herded together in the Earl of Desmond's castle. If Fynes Moryson may be believed, the daughters of distinguished Ulster chiefs squatted on the pavement round the hall fires of their fathers' castles, in the presence of strangers, as bare of clothing as if Adam had never sinned. According to Spenser, in striking contrast with the Irish of later experience, the women in all their relations were emancipated to the fullest imaginable extent; and, in Spenser's time, they had rather improved than deteriorated since the visit of the Pander. A hundred thousand families (the population did not exceed, if it reached, half a million) divided Ireland, whose ways of life, and whose notion of the objects for which life was given them, were the ways and the notions of savages. In unconscious simplicity their historians reveal their character. The pages of the Four Masters, the 'Annals of Lough Cé,' are filled with a monotonous series of murders and destruction. Strife and bloodshed were the sole business of life; and those of them took highest rank, and rose most to favour in song and legend, who had slaughtered most enemies, and burnt and harried the largest number of homesteads. Partial exceptions there may have been. Within the walls of towns there must have been some kind of human decency. In Ormond's castle

BOOK I.

of Kilkenny, at Maynooth, and in the houses of the great barons of the Pale, the example of the English viceroy at Dublin was, perhaps, faintly imitated. Imagination may with difficulty approach, it certainly cannot exaggerate, the condition of the rest of the island.

'The holy woman Brigitta,' says the Pander emphatically, conveying under an Irish legend his general impressions as to the whole subject, 'used to enquire of her good angel many questions of secrets divine. And among others she enquired of what Crystyn lande was most sowlles damned. The Angell shewyd her a lande in the weste parte of the worlde. She inquiryd the cause whye. The Angell sayd for there is most contynuall warre, rote of hate and envye and of viceis contrarye to Charytie. And the Angell dyd shew till her the lapse of the sowlies of Crystyn folke of that lande, how they fell downe into Hell as thyk as any haylle shewrys. And pytty thereof movied the Pander to consayn his said boke, for after his opinion thys is the lande that the Angell understode, for ther is no lande in this worlde of so long contynuall warre within hymselff, nor of so greate shedding of Crystyn blode, nor of so greate rubbing, spoyling, preying, and burneing, nor of so greate wrongfull extortion contynually as Ireland. Wherefore it cannot be denyed by very estymation of man, but that the Angell dyd understande the lande of Ireland.'[1]

What could the King do more than had been done? it was asked. The land had been conquered, and settled with English, and subjected to English

[1] 'State of Ireland and Plan for its Reformation, 1515.' *State Papers*, vol. ii.

laws; 'and so did continue and prosper a hundred years and more.' Then barbarism had come back as if it were the fatal destiny of the country. Some said that things had been never better; others, that the disorder was incurable and never could be removed. The Pander thought that an account of Ireland would be demanded by God at the King's hands; and that, for his own soul's sake, he must take it in hand. 'It would be more honour to him to surrender Ireland altogether, than suffer his poorer subjects to be so cruelly oppressed by the nobles, and the nobles to be at war with themselves, shedding blood always without remedy.' 'The herde must render account of his folk and the king for his.'

Once more there was to be an attempt to govern; but how it was to be done remained obscure as ever. The despised 'churles,' or poor tillers of the earth, were the worthiest part of the population, the worthiest and the most cruelly oppressed. The Pander's proposal was to give the churles an English training, and arm them against their lords, who would thus be compelled to respect their properties, and, for want of plunder on which to sustain their followers, would be driven, in spite of themselves, to more peaceful habits. But this was one of those paper measures so uncertain in its results; for the churles after all might turn their weapons against their patrons. It was a plan easy to recommend, but impossible to execute without a complete conquest, which Henry, shaking on his throne, was unable to undertake. His hope was still to conciliate, to reclaim by persuasion and favour the least desperate of the great Irish families, and with their assistance rule or influence the rest. The two most powerful houses of Norman descent were the Butlers

BOOK I.

and the Geraldines of Kildare. Each of them had accepted earldoms from England. They held their estates in feudal tenure, with regular descent to the eldest son; and their heirs in part or wholly were educated at the English court. The Butlers, the sole exception in Ireland, were traditionally loyal. They had little influence beyond their own principality, as having English sympathies, and were therefore less available for Henry's purpose. The Kildares, far advanced in intelligence beyond the Irish level, and better aware than their countrymen of English strength, had played fast and loose with the English connection as the turn of events recommended, but they were ready to fall back upon it if they could be regarded as the hereditary representatives of their sovereign. Earl Gerald, after crowning Lambert Simnel, shook himself free from his falling cause; in combination with his kinsmen in Munster, he crushed the party which had declared for Perkin Warbeck, and drove the new Pretender out of the kingdom. All Ireland, it was said, was not a match for the Earl of Kildare. Then, 'Let the Earl of Kildare govern all Ireland,' was the answer of Henry the Seventh. Gerald, the eldest son, was married to the King's cousin, Lady Elizabeth Grey.[1] The Kildares were deemed the most fit connecting links between the two islands. They undertook to keep Ireland quiet in its allegiance, and to govern, if nothing else, at least inexpensively. Prince Henry, then a child and Duke of York, was appointed viceroy, as a complimentary equivalent to the title of Prince of Wales borne by his brother. The political question

[1] From this marriage came the fair Geraldine, who grew up at the English court, and with her Irish charms captivated the young Lord Surrey.

raised by Simnel's coronation had to be disposed of before a final settlement. Sir Edward Poynings, sent over as Deputy, carried through the Irish Parliament the two famous acts known by his name, by which English law was constitutionally established in Ireland;[1] and the Irish legislature surrendered its pretence to pass measures which had not been first approved in London.[2] This point concluded, the sword of justice was delivered over to the Kildares, and was held by them for a quarter of a century.

The establishment of the Tudor dynasty, it has been sometimes supposed, was the most favourable opportunity as yet offered for the erection of an Ireland loyal to England, yet governed by her own people according to 'Irish ideas;' and had it been tolerable for an orderly and well administered kingdom to retain a dependency at its doors abandoned wholly to those habits of lawlessness which governments exist to repress, the administration of the Geraldines might have been continued indefinitely without provoking a collision. Poynings' Acts were an unfelt restraint, when the statutes of an Irish Parliament were not even nominally in force beyond the Pale. The Kildares deriving their strength from their popularity could govern only by humouring the 'ideas,' which they were chosen to represent; and where in other countries anarchy works its own cure through the miseries which it creates, in Ireland the misery was itself enjoyment. The free right of every one to make war upon his neighbour at pleasure was the Magna Charta of Irish liberty. To sacrifice the privilege of appeal to the ordeal of battle was to sacrifice everything which made life itself worth

[1] 10 Hen. VII. cap. 22. [2] 10 Hen. VII. cap. 4.

BOOK I.

having.[1] So long as England left the Irish free to plunder and kill, they were well contented that one of themselves should sit in Dublin Castle with the title of King's Vicegerent. Freedom such as Scotland fought for the inhabitants of the sister island never sought or cared for. Conscious that they could not stand alone, they were satisfied to live under a power which left them in possession of all that they desired, without risk of interference from other countries which might perhaps prove less forbearing. If the absence of every element which in the court of reason and conscience constitute the justification for the forcible annexation of Ireland, formed a hopeful ground for the establishment of amicable relations between the two peoples, the attempt to govern by 'Irish ideas,' as exemplified in the administration of the house of Kildare, had only to have been persevered in to have brought about the desired union of heart and affections.

But England to her misfortune has never been able to persevere long in any one policy towards Ireland. She tries coercion, till impatience with the cost, and a sense of the discredit, produce a hope

[1] 'Some sayen also that all the noble folke of the lande of Ireland, fro the highest degree to the lowest, English or Irish, that useyth the sayde extortions hadde lever to continue the same at ther lybertye, and bere the greate daunger of Godde and of their enemyes, than to have all the lande as well orderyd as England and as obedyent to Godde and to the King, if therbye they shulde lose their lybertyes in vyceis and the said extortions; for ther is no lande in all thys worlde that have more lybertye in viceis than Ireland and lesse lybertye in vertue; for every greate captayne within his rome holdeyth by the sworde imperyall jurysdyction at his lybertye that nature most desyre; which he shulde lose for ever if the lande were orderyd and be at lybertye in vertue; that is to be obedyent to the Kynge's laws and to the Holye Churche.'—'State of Ireland and Plan for its Reformation.' *State Papers*, Hen. VIII. vol. ii. p. 16.

that coercion is no longer needed, or a belief that it has been a mistake from the beginning. Conciliation follows, and compromise, and concession, and apology. The strain is taken off, the anarchy revives, and again with monotonous uniformity there is a fresh appeal to the sword. The ignominy of having a country nominally subject to him, where the first elements of social order had yet to be introduced, forced itself slowly and with difficulty into the mind of Henry the Eighth. No one knew better than he that order was a plant of slow growth, that bad habits were a second nature, to be changed only by time and forbearance. 'Realms, nevertheless, without justice,' he said, 'were but tyrannies and robberies more consonant to beastly appetites than the laudable life of reasonable creatures. Where wilfulness did reign without law or justice, there was no distinction of property: no man might say this is mine; but by strength the weaker was oppressed.'[1] Henry did not insist that the Irish, ill-trained as they had been, should submit at once to English law; but he held it necessary 'that they should conform their order of living to the observance of some reasonable law, and not live at will as they had been used.' He, like his father, was willing to try peaceful means, but means which would lead to a result with a defined purpose of improvement. He disavowed—and in perfect sincerity, for throughout all his troubled relations with Ireland he acted consistently on the same principle—he disavowed all intentions of depriving the chiefs of their lands, or confiscating their rights for the benefit of Englishmen. He desired to persuade them to exchange their system

[1] 'Henry VIII. to the Earl of Surrey, 1520.' *State Papers*, vol. ii. p. 52.

BOOK I.

of election for a feudal tenure, to acknowledge by a formal act of surrender that they held their lordships under the crown, receiving them again with English titles, and with legitimate jurisdiction derived from the King. Under this condition, instead of being Irish enemies, they would become subjects entrusted with formal authority; and in return might retain and administer the more tolerable of their own Brehon laws, till a more settled life brought a desire with it for the English common law. The worst and weakest code ever digested into authoritative form would at least be better than no law at all.

A people who could understand an appeal of this kind would perhaps have never required to be so addressed. As spoken to Ireland it was like an invitation to water to become, of its own free will, solid land, or to a sandy wilderness to clothe itself with corn. It is well that so clear an answer remains on record to the stereotyped slander, that England's only object in her management or mismanagement of that unhappy country, was to rob the ancient owners of the land of their fathers. Yet the failure was inevitable, and would have been followed at all events by rougher measures, even without the new element of discord which was flung out into Europe, and among its other results gave coherence and defined form to Irish disaffection.

SECTION V.

CHAP. I.

On the rupture of England with the Papacy, the Irish, by immediate instinct, threw themselves on the Roman side. Could they have found Protestant allies within reach, and had Henry continued in deed as well as in name Defender of the Catholic faith, the Church of Ireland might perhaps have remembered and reclaimed her ancient liberties, have dated her slavery from the grant of Adrian, and have fought for independence under the name of spiritual freedom. The Celts of Wales and Cornwall are vehemently Protestant; the Irish themselves lose their Papal fervour when settled in countries where Popery is no longer identical with patriotism; and their tendency in all England's quarrels to take the opposite side might have reminded them that it was England which first riveted the Roman yoke upon their necks.

England, however, shook off the 'Italian Priest,' and declared herself competent to decide her own causes ecclesiastical and civil within her own borders. The Irish, already uneasy at Henry's attempts to meddle with them, declared themselves champions of the true faith. The Pope claimed the right to absolve them from their allegiance; and rebellion became thus a second duty. The first results were not encouraging to the new ideas of patriotism. The trusted and favoured house of Kildare put themselves forward as champions of the Catholic faith. The Earl, who was in London, was thrown instantly into the Tower, where he died. Lord Thomas Fitzgerald,

BOOK I.

his eldest son, who at first carried all before him, was compelled, after half a year of triumph, to surrender with his uncles, and was hanged at Tyburn. Failure so absolute daunted for a while the insurrectionary spirit, and through the King's adroitness and forbearance it seemed doubtful whether it would revive. The Kildare Geraldines were attainted, but their estates were left untouched, to be restored as the return of their loyalty. Few if any of the confederates were punished with loss of lands. There were confiscations, but confiscations of the estates not of the Irish but of the English absentees. Those of the colonists who were unable, or who neglected, to discharge the duties attaching to their places, were declared to have forfeited their tenures. English noblemen who held lands in Ireland were required to reside and maintain them. The rights of property were made stringently conditional as the fulfilment of its obligations.[1] Justice so far was even-handed, and justice being a rare virtue in that country never failed to be appreciated.

A measure followed which, from another side, produced a favourable effect on the Irish leaders. The abbeys in Ireland as well as England were suppressed so far as an act of Parliament could suppress them.[2] The estates of the Church were passed on easy terms to the great persons in the different provinces, as a bribe to purchase their assistance in carrying out the statute. Superstition or piety in some places forbade the sacrilege; in others conscience was too weak to resist temptation. The chiefs and nobles having consented to a share in the spoils,

[1] Act of Absentees, 28 Hen. VIII. cap. 3. *Irish Statutes.*
[2] 33 Hen. VIII. cap. 5.

forgave the spoiler; and the first singular results of this violent and seemingly dangerous act were the acquiescence of the O'Neills, O'Briens, and MacCarties, in the plans of Henry for a change in their mode of tenure. They surrendered their lands, to take them back again subject to English conditions and to the English rule of inheritance. They accepted earldoms in the place of their Irish chieftaincies, and attended in their robes at a parliament in Dublin; while Henry himself, seemingly with universal consent, took the title of King of Ireland, when before he had been but Dominus, or Lord.

The beginnings of a new order of things were happily laid, and there had never, since the Conquest, been better promises of peace. As usual, when England showed strength and resolution, Ireland became immediately submissive. If Henry had lived a few more years, and if the quarrel with the Pope had not been further complicated by differences of doctrine, the emphatic success of an authoritative policy at a critical time might have spared the need of future outlawries, spoliations, and insurrections.

SECTION VI.

BOOK I.

THE short and unhappy reign of Edward the Sixth produced less agitation in Ireland than might have been anticipated. Attempts were ventured to introduce and force upon the people the doctrinal theories for which even England was unprepared. Evangelical Protestantism of a serious kind was really and truly better fitted to make its way among an impressionable people like the Irish than the ambiguous formulas of the Anglican Church; but spiritual conversion was too tedious a process for the impatient precipitancy of the advanced Reformers. Unconsecrated prelates were thrust into the Irish sees under the naked authority of letters patent. John Bale, the most virulent and the most profane of the unfortunate party whose excesses provoked the counter reformation, commenced work as Bishop of Ossory, which would have led, under ordinary circumstances, to an instant explosion. In Ossory, the bishop was under the exceptional protection of Lord Ormond, who was himself a Protestant; the Irish leaders were as yet apparently uncertain whether to accept finally the bribe of the Church lands; and the secular government was in the hands of Sir Edward Bellingham, one of the ablest viceroys who ever wielded the Irish sword. But the exasperation which would have soon burst into rebellion rendered easy and complete the counter-revolution under Edward's successor. On the marriage of Philip and Mary, and the formation of the

close alliance with Spain, religion was no longer a cause of difference. The friars were reinstated in the religious houses, and the English Church and the Catholic clergy worked hand in hand for the restoration of order.

The two countries, notwithstanding, were no nearer than before to a real union. No sooner was the quarrel of the creeds suspended, than the old grounds of jealousy revived; and Mary, before she died, found herself at issue with the most powerful chief of the native race on questions of jurisdiction and inheritance. Con O'Neill had accepted the earldom of Tyrone from Henry the Eighth, with reversion to his eldest legitimate son. The amours of Con had been miscellaneous. His children irregularly begotten were numerous. The custom of the tribe on the death of a chief had been to choose in his place the bravest and the strongest. The Baron of Dungannon, the lawful heir under the patent of the earldom, was inefficient and unpopular. His bastard brother, Shan or John, a model Irishman, fierce, brave, and unscrupulous, the idol of the clan, was elected by acclamatiom, not to the English title, which he despised, but to the name and place of the O'Neill. The Baron of Dungannon was murdered; Shan O'Neill emerged for a brief period of splendour into the championship of Irish liberty, and prepared, Church or no Church, to vindicate the right of his people to manage their affairs and elect their rulers on their own principles. In the settlement of this dispute the life or death of Mary would have made no difference; and if Ireland was to be reclaimed to civilization, a reconquest would have been equally a necessity, though the Reforma-

BOOK I.

tion had been no more heard of, and England had continued thenceforward a loyal vassal of the Holy See. But Mary went the way of her brother; Elizabeth succeeded; and with Elizabeth came the beginning of modern Irish history.

SECTION VII.

The revolution on the death of Queen Mary reestablished in England the supremacy of the Crown, the Act of Uniformity, and the Reformed Prayer Book. The majority even of the English were still Catholics; yet the change, if largely unwelcome to them, was received without surprise. In the theory of the constitution the law which undertook the direction of conduct extended to the exercise of religion. Opinion remained free; there was no inquisition into the conscience; but public worship was a formal act which, by universal consent, the Crown and Parliament were held to have a right to control. The experience of three hundred years has taught us that the widest divergence of belief is compatible with equal purity of life and equal fidelity to a common government. But the conditions did not exist which make toleration possible at a time when, though differing infinitely in the articles of faith, all parties were nevertheless agreed that heresy was the darkest of crimes, that to hold the right faith was the first of duties, and that the business of the civil magistrate was not only to execute justice but to maintain truth. When feeling was thus intense, and the conscience so keenly excited, to have allowed the public and avowed exercise of more than one religion would have led inevitably to acts of violence. If the law had been silent, the several congregations as they were gathered under their preachers into organized bodies would have themselves attempted to give

BOOK I.

expression to the universal sentiment; and so unanimous was the conviction that the state could allow but one religion, that the aspirations of the English Catholics were less directed towards toleration and free chapels and churches, which they would have counted it an impiety to concede to their adversaries, than to a counter-revolution, which would replace the exclusive authority in their own hands.

The Catholics, by the necessity of their situation, made themselves liable to additional disabilities. So long as the Pope claimed a right to absolve them from their allegiance, and they on their part refused to repudiate his pretensions, they could neither be, nor be considered, loyal subjects of an excommunicated sovereign. To be a good Catholic was, in the nature of things, to be unfaithful to the secular prince. All Protestant governments were obliged to regard the adherents of the Roman see as secret enemies ; and although practice was not governed by logic, and English gentlemen contrived subterfuges by which to reconcile incompatible obligations, Elizabeth's government, when she had decided to go forward with the Reformation, was compelled to watch them with distrust.

At first there was the utmost forbearance. The Act of Uniformity was the public law of the land; fines were attached to non-attendance at church; an oath of allegiance, excluding and denying the pretended rights of the Pope, was made a condition of holding office under the Crown, of admission to the Universities, or of the exercise of a learned profession. But mass was said by connivance in private houses. The allegiance of the peers was assumed as not needing to be confirmed by protestations. The fines were not

exacted. The widest toleration was permitted consistent with the existence of the law. With some it answered, with others it failed. The passionate Papists murmured, conspired, fell into treason. Their leaders were executed. The laws were enforced more stringently. They conspired again, and invited help from Spain. The nation, whose patriotism was stronger than their superstition, stood by the Crown. The cause of independence triumphed, and the Pope's authority in England died utterly away.

The state of Ireland was materially different. In England, at Elizabeth's accession, though the Protestants were a minority, they were the most energetic and vigorous of the population. In Ireland, 'of the birth of the land,' there were no Protestants at all. Yet the difficulty of adopting a separate principle of government was enormous. Although there was no legislative union, yet laws of Imperial consequence, which had been passed in England, were re-enacted as a matter of course by the Irish Parliament. The Ireland of the Statute Book was still only the Pale and the port towns, and though even within these narrow limits Protestantism had as yet made no progress, yet the need of defence against the Pope was even greater there than at home. The Act of Uniformity, therefore, and the Act of Supremacy were pushed, by some means or other, upon the Irish Statute Book. The Bishops of the Pale who refused the oath of allegiance were deprived, and others instituted in their places. The sees in the rest of the island were filled up when they fell vacant, only as the Government found itself strong enough to maintain Protestants there without danger of their being murdered. Meanwhile

BOOK I.

the private toleration allowed in England received in Ireland a far larger latitude. The Primate was a Protestant. In the parish churches in the Pale there was either a Protestant service or none. But when over zealous Deputies showed a disposition to proselytize, they were invariably checked by the Queen; and the policy which was succeeding in England, it was supposed, not wholly without reason, might produce analogous effects in the sister country. The Prayer Book especially, when translated into Latin, retained a Catholic complexion. The King of Spain long turned a deaf ear to invitations from the Irish leaders to interfere. If in Ireland, to begin with, there were scarcely any Protestants at all, in England they were in a minority of one to five or six,[1] and were almost limited to London and the large towns.

One difference was overlooked, and that a vital one. In England, when her independence was threatened by the Catholic powers, the national spirit was on the side of the Reformation. In Ireland, zeal for religion identified itself with political freedom; and the more ardent the orthodoxy, the greater the prospect of obtaining sympathy and help from Spain and Italy and France. Elizabeth, perhaps, considered that the Catholic powers had work enough on their own hands; that, if the magistracy, the public offices, and the learned profession were kept strictly in the hands of conformists, the Pale would become gradually reconciled, and, with time and forbearance, the rest of the island would follow. The calculation was utterly disappointed; the Queen's meaning towards Ireland was nothing but good; she detested persecution, she

[1] The highest estimate was one in three. The lowest, in the Catholic representations to Philip, made them but one in twelve.

was scrupulously anxious, like her fathers, to protect the Irish owners in possession of their estates. Yet she pursued a policy the most fertile in disaster that the most malignant ingenuity could have devised. The problem presented to her was, doubtless, complicated. To have left religion alone and contented herself with the secular government, would have been equivalent to a declaration that there should be no Protestants in Ireland at all; it would have furnished an unanswerable argument for indulgence to her Catholic subjects at home; while the Irish, from the nature of the case, would have been in league with all her enemies within the realm and without. To harmonize the laws of the two countries was a political necessity; but, if the Queen found herself compelled to establish a Church which should be independent of the See of Rome, her obvious duty was to secure the presence of a Protestant community by a second influx of colonists, who would be protected by the difference of creed from the seductive influences which had proved so fatal to the descendants of the Normans. The Church property of the Pale, the lands of the abbeys, which were again suppressed, the estates attached to the bishops' sees, had all of them lapsed to the Crown. There was land enough, without dispossessing a single lay proprietor, to have settled colonies of Protestants throughout Dublin, Meath, and Kildare, who would have given strength to the English interest, supported clergy, and at least have shown the Irish people that, to be a Protestant, was not to be an atheist. Elizabeth, unfortunately, not choosing to have a war of creeds in Ireland, preferred to postpone the introduction of the Protestant religion to a more convenient season. Irritated with the expenses of the

BOOK I.

government, she farmed the Church lands, farmed even the benefices themselves, squeezing out of them some miserable dribblet of revenue; and gradually, as the English power extended, applied the same method in the other provinces. The priests withdrew from the churches to the hill sides, or to the chiefs' castles. No ministers took their places when there were neither houses for them to live in, nor parishioners to protect them from murder. Roofs and windows fell in, doors were broken from their hinges, till at last there was neither church nor chapel through which rain and wind had not a free sweep; while grooms and horseboys pattered through some mockery of a ritual at a beggar's stipend.

It may be answered that all this was inevitable. The priests made themselves apostles of insurrection, and the life of a Protestant minister would not have been worth a day's purchase. But Protestant colonies could have maintained themselves with ease in the Pale. So feeble for many years were the resources of Irish insurrection, and so divided were the chiefs among themselves, that a mere handful of English soldiers were able, not, indeed, to keep order, but to shatter any rebellion which assumed an organized form. Had the Church lands been everywhere resolutely taken possession of and distributed among English families who would have undertaken to defend them, and had four thousand soldiers been dispersed in strong positions through the four provinces, with wages regularly paid, the savage spirit of resistance, which ultimately became so formidable, would never have been able to grow; and the frightful catalogue of crimes which provoked, and in some degree excused, that resistance, would

never have been committed. Elizabeth's soldiers, with their pay for ever in arrears, and not choosing to starve, lived almost universally on plunder. Placed in the country to repress banditti, they were little better than banditti themselves. Their scanty numbers were a temptation to disturbance. Too few to be able to take prisoners or hold a mutinous district in compelled quiet, their only resource was to strike terror by cruelty. When sent to recover stolen cattle, or punish a night foray, they came at last to regard the Irish peasants as unpossessed of the common rights of human beings, and shot and strangled them like foxes or jackals. More than once in the reports of officers employed on these services we meet the sickening details of these performances related with a calmness more frightful than the atrocities themselves; young English gentlemen describing expeditions into the mountains 'to have some killing,' as if a forest was being driven for a battue.

Every crime is entered in the register of nature. Expiation sooner or later is demanded with mathematical certainty, and, three-quarters of a century later, the bill was presented, to be paid with interest. Meanwhile, neither the faults of particular soldiers, nor the negligence of Queen Elizabeth, could alter the essential nature of facts. The worst cruelties of the garrisons were but the occasional copies of the treatment of the Irish universally by one another. The best and only hope for the country was the extension of English influence over it, and by the necessity of things that influence continued to grow. Gladly would Elizabeth have let Ireland alone if the Pale would have been decently obedient, and the chiefs have remained at peace with her and with

BOOK I.

each other. It could not be. They identified the wrongs of Ireland with the wrongs of Holy Church; they made themselves soldiers of the Pope; they threw themselves on the support of Philip the Second; and the Queen was driven, in spite of herself, to encounter them one after another, and force them to acknowledge her authority.

Shan O'Neill was the first to try conclusions with her. Shan, having established himself in his own rights, proceeded to claim sovereignty over Ulster. He crushed the smaller chiefs; he crushed the O'Donnells; he corresponded with the French King. He aspired to be the liberator of Ireland, and to assume on Tara Hill the crown of his ancestors. Elizabeth, after trying in vain the eternal policy of concession and temporising, varied with treachery and an attempt at assassination, was at last forced into characteristic activity. She did not conquer Ulster, but she bribed the inferior tribes to rise against the O'Neills. She assisted the O'Donnells. She made use of a piratical colony of Scots, who had settled in Antrim, whom Shan had injured. Sir Henry Sidney ravaged Tyrone, and fixed a garrison in Derry. Shan's enemies closed round him, and he was murdered. The immediate danger was over; but the essential mischief, the anarchy and turbulence of the clans had been fostered and fed in the process.

The South rose next, and the same plan was followed. The house of Desmond and the house of Ormond were hereditary foes for generations. Munster had been distracted by their quarrels. Sir Henry Sidney while viceroy had insisted that Munster must be made a presidency, and that both factions must be forced into obedience to law. A presidency would

cost money; Elizabeth preferred so to manage the rival noblemen that they should be a check upon each other, while both should depend upon herself. She was sure of Ormond, for Ormond was a Protestant. She insisted that her viceroy should take Ormond's side in the quarrel between the two houses, whether Ormond was right or wrong. Injustice and favouritism never produced good fruit in Ireland. The Geraldines were ardent Catholics. They had held aloof from Shan O'Neill; they had no mind to build a throne for a native Irish chief; but they were none the less determined to resist the encroachments of Protestantism and England. The Earl, who had avoided compromising himself, was summoned to London to explain suspicious features in his conduct. He obeyed and was imprisoned. His heir was born while he was in England. Leaving this precious hostage for his good behaviour, he was released, was again arrested in Dublin, escaped, and was then allowed to remain among his own people, because it was dangerous to pursue him; and the fatal lesson was taught, that the English Government could be defied with impunity.

Disgust with Irish anarchy had led to the discussion of projects for the resettlement of the South by English undertakers. The country had been mapped out. Volunteers came forward who offered, in exchange for lands, to bear the cost of military occupation. Elizabeth listened coldly. Cecil said, in answer to their petitions, that lands could not be escheated till the owners had forfeited them by treason. But the abortive scheme of the Earl of Essex to form a colony in Ulster coupled with the revival of claims on estates in Cork under Norman charters, long neglected and

BOOK I.

forgotten, worked on the Irish susceptibilities. The expectation that the attempt would be renewed hung like a standing menace over an excited and agitated race, who believed that England was watching for an opportunity to sweep them out and destroy them.

The fanaticism of a few English divinity students who had seceded to the Church of Rome, fired the mine which lay ready to explode. The celebrated Nicholas Sanders, after libelling, as only an English pervert could libel, the Reformation of his own country, became a missionary agitator for a Catholic crusade. He found Philip cold, but he wrought with more success on the inflated imagination of the Pope; and, having fallen in with an exiled Geraldine, who assured him that if the Pope would speak the word all Ireland would rise in enthusiasm, he procured a commission thither as legate for the Holy See. He obtained money and arms, collected a few hundred Italian and Spanish volunteers, and landed on the coast of Kerry. He learnt, as many others have had to learn, that there were two Irelands—the Ireland of imagination—the Ireland of eloquence and enthusiasm —and the Ireland of fact and performance. Long before, had there been any real genuine national spirit in the Irish race, the pitiful handful of English would have been pushed into the sea with all the ease that Sanders counted on. But in Ireland, behind the most fervid language, there lay always a cool calculation of interest. When an Irish leader committed himself to rebellion, his neighbours had their reasons for hanging back and making a merit of their fidelity with England. The Geraldines had held aloof from the O'Neills; the O'Neills and the O'Briens declined to help the Geraldines; and the Butlers had their old

grudge, which the time was come at last to repay. The Earl of Desmond himself, contented with passive defiance and the partial sovereignty of the south-western counties, shrunk as long as he could, from the war to the knife to which the Anglo-Papal firebrand was committing him. It was found necessary to force his hand by the murder of an English officer, who was his cousin's guest at Tralee, a crime for which he knew that there would be no forgiveness.

Then at last, desperate of other remedy, the Earl of Desmond rose. The Geraldine clan gathered to his side in the passionate personal fidelity which is the noblest feature of the Irish character; and Limerick, Kerry, Cork, and part of Waterford, assisted afterwards by some of the Barons of the Pale, entered into a struggle for life and death with all the power of Elizabeth. A rebellion so begun, and with such objects, she well understood that for her own safety she must trample out. She could not afford to leave the Papal banner flying on any spot in her dominions. Troops were sent over. A fleet came round to the western coast. Lord Grey, the Viceroy, by a rapid march to Dingle, blocked the Italian troops into a fort from which there was no escape, bombarded it, and destroyed them to a man. But she was not content to do the work alone. Against the Irish fighting on their own soil, among bogs, and mountains, and forests, other allies were more efficient than English soldiers. The Butlers were let loose on their ancient enemies. Every living thing was destroyed by which the insurrection could maintain itself. The corn was burnt in the field; the cattle were driven into the camp and slaughtered. The men who could bear arms were out with their chief; the aged and

BOOK I.

the sick, the women and the little ones perished all in the flames of their burning homes. The official records of this deadly war return the killed and hanged in tens of thousands, and famine took up the work where neither sword nor rope could reach. Finally, when of the proud clan of the southern Geraldines there were none left but a few scattered and desperate bands, the last weapon was produced which never failed to operate. Pardon and reward were offered to those who would kill their comrades, and the bloody heads of noted leaders were brought in by sacksful to be paid for in land or money. The legate, hunted like a wolf, died wretchedly in a forest shanty. Desmond himself, after three years of outlaw life, was betrayed by his own people; he was stabbed in his bed, and his head was set on a spike on London Bridge; while so utterly desolated was Munster, that the lowing of a cow, or the sound of a ploughboy's whistle, was not to be heard from Valentia to the Rock of Cashel. Now would have been the time to have settled Munster effectively and for ever. Half a million of fertile acres were escheated to the crown. They were granted away among Elizabeth's favourites as a reward for service, or among undertakers who were allowed at last to carry out their project of occupation. But the colonization was irregular, unsystematic, and imperfect. The essential condition of residence, without which confiscation was useless robbery, was evaded in act, if insisted on in words; and the change over part at least of the forfeited territory did little more than create a fresh poisonous batch of absentee proprietors, while the lands were still occupied by an Irish tenantry, who waited for and in due time found their opportunity for revenge.

For the moment, however, rebellion was beaten down, and the insurgent spirit had to pause and recover itself from the frightful chastisement which had been inflicted on it. In the Pale, where Desmond had found active sympathy, an extensive revolt had been planned; but it broke out prematurely. A few of the leaders fled; others were taken, tried, and executed. Connaught, after a severe discipline from Sir Nicholas Malby, was overawed into outward quiet by a garrison at Athlone. Ulster, the most Irish of the four provinces, and very far the strongest, remained with its resources still unbroken. Tirlogh O'Neill, who succeeded Shan, had the prudence to avoid violent collision with the English, so long as he was left uninterfered with. The experience of the Desmond rebellion was an appalling proof of what the English could do if provoked to extremity, while the cost of suppressing that rebellion made Elizabeth more than ever reluctant to provoke another.

Yet it was inevitable that English law and English authority must make their way throughout the island, and that Ulster's turn must come at last. Eleven years of quiet followed, and the fire broke out once more.

The defeat of the Armada, the English invasion of Spain and Portugal, and the support which Elizabeth was driven at last to extend to the United Provinces, induced Philip, who had hitherto turned a deaf ear to Irish overtures, to think more seriously of the opportunities for revenge which Ireland seemed to offer. The stupid ferocity with which the Western Irish had robbed and murdered the crews of the wrecked galleons of the Armada, left a painful im-

BOOK. I.

pression of the character of his intended allies. A few fortunate companions, however, who had been entertained kindly in the North, reported more favourably. The success of Elizabeth's government generally, the hopelessness of a Catholic revolution in England—to which they had long looked for deliverance—and the increasing strength of the Protestant party in Europe, had created a fear in the Irish Catholic gentlemen, that the forbearance with which their religious scruples had been hitherto treated might not be of long continuance. Virtually they had enjoyed full religious liberty; but, with every conquest made by England, the limits were extended within which the country fell under the statute law. Unless they could secure their rights by formal concession, they might discover that the law would be made a reality. Every Catholic in the country was thus ready to join in a demand for the free exercise of their religion; and if their request was refused, and if Spain would help them, to redeem the errors which they had made in leaving Desmond unsupported.

The force of circumstances had carried Ireland forward, in spite of herself, in the general stream of civilization. Her bishops and clergy had been educated in Italy, in France. Many of her gentlemen had served in the French and Spanish armies. Some had taken degrees at Oxford and Cambridge. Some had been at the Inns of Court in London. They had thus grown capable of more comprehensive political views, and of larger and better considered combinations. In Hugh O'Neill, Earl of Tyrone, Elizabeth was now to find the most formidable Irish antagonist which either she or her predecessors had encoun-

tered. To her he was indebted for life, rank, and fortune. He was the son of the Baron of Dungannon, whom Shan had murdered, and the grandson of the first Earl Con. Beyond doubt, he would have shared his father's fate, had he not been sent to England, and thus taken care of. He was brought up at the Court as a Protestant, in the midst of the most brilliant circle which any capital in Europe could show. No pains were spared to make him a fit instrument for the reclamation of his country; and, when of age, he received the patents of his grandfather's earldom, and returned to Ireland. The wolf which is treated as a dog remains a wolf still. O'Neill bound himself to permit neither monk nor priest within his jurisdiction who would not conform to the Established religion.[1] He became himself a Catholic.[2] He promised to introduce English law, to abolish the Irish customs among his subjects, conform himself to English rule and order. He assumed the title of 'the O'Neill,' as the symbol of the Irish independent sovereignty, and he adopted the customs which he had forsworn. He asserted and enforced his authority over the inferior chiefs, and Elizabeth discovered that she had nurtured him, armed him with intelligence, and restored him to his rank and his estates only that he might be the better able to defy her. He became not only the unruly Irish chief, but a skilful and dangerous conspirator; and while he was protesting against being misunderstood, and affecting to desire to recover the Queen's favour, letters were intercepted from him to Philip, and to other Spanish nobles, entreating assistance for the defence of the Catholic

[1] 'Articles agreed on by the Earl of Tyrone. June 17, 1590.'—*Calendar, Carew MSS.* p. 38.

[2] *Ibid.* p. 105.

BOOK I.

Church.[1] He still pretended to be ready to submit, and the Queen was willing to pardon him; Lord Burghley, to escape the expenses and dangers of another rebellion, advised that the terms of his forgiveness should be made as easy as the State could grant; but O'Neill proposed rather to prescribe conditions than receive them. He required the dismissal out of almost the whole of Ulster of every English soldier, sheriff, magistrate, or other officer whose business was to set in action English law; he demanded further, free liberty of conscience, by which he meant free liberty of religious worship throughout Ireland,[2] and the restoration of the Church lands to the Catholics.

The commissioners appointed by the Queen to treat with him—so earnest were they to come to an arrangement—replied that, 'as her majesty had hitherto given full toleration without punishment of any, in all likelihood she would continue the same.' It was likely, also, she would let O'Neill have the spiritual lands. The Queen herself, when she learnt what had been offered in her name, repudiated so gross an engagement. She had acted mercifully, she said, but she could never listen to the request of a subject for permission to break the law. She declared herself 'highly offended with his petition,' and required that it should be withdrawn. O'Neill affected to comply. He said he would submit in everything to the Queen's wishes. He trusted only that she would not insist on his expelling Catholic priests who might come into Tyrone. This the Queen

[1] 'The Earl of Tyrone and Hugh O'Donnell to the King of Spain, &c. September, 1595.'—*Calendar, Carew MSS.* p. 122.

[2] 'Demands made by Tyrone, O'Donnell, and others, January 19, 1596.'—*Ibid.* p. 133; and see p. 147.

did not require. She had 'determined,' she said, 'on a course of pacification.' She pardoned O'Neill and O'Donnell, and all their confederates,[1] and she appointed commissioners to make general enquiries into the condition of the Government of Ireland, and redress whatever might be found amiss. No sovereign could have shown more forbearance, or a more anxious desire to avoid extremities. But O'Neill's submission was affectation merely. He had made up his mind to try the religious question with the sword, and the ink was scarcely dry upon his promise to be a good subject, before he had sent a circular round to the Irish of Munster, inviting them to join in a confederacy for the defence of 'Christ's Catholic religion.'[2]

The war which followed lasted for six years. The whole country was filled with blood and fury. O'Neill showed high qualities both as a commander and as a politician. He held the Irish together more successfully than any insurgent leader had succeeded in doing before him; and his career is unstained with personal crimes and atrocities. He destroyed an English army at the ford of the Blackwater. The Earl of Essex was sent over with the largest English force which had ever been seen in Ireland. Essex, who perhaps was already meditating treason, wasted his means and his opportunities in an expedition into Munster, where his presence was useless. When he moved at last against Tyrone, it was with reduced numbers, which was his excuse for producing no results. He had known O'Neill personally in England. Instead of meeting him in the field, he had a private interview with him, at which no third person was present. He agreed to a

[1] 'The Queen to Lord Deputy Russell, May 25, 1596.'—*Calendar, Carew MSS.* p. 176.

[2] July 6, 1596. *Ibid.* p. 179.

BOOK I.

cessation of arms, left the Irish unharmed, and returned, without orders, to Elizabeth, to disgrace, conspiracy, and the scaffold.

Lord Mountjoy took his place in Ireland, and the conduct of a war that had been too long trifled with was at length in efficient hands. The negociations of the Irish with Spain ripened into fruit. In September, 1601, Don Juan de Aguila landed at Kingsale with a Spanish army 4,000 strong. Mountjoy hurried down with all the troops that he could collect, and drove Don Juan within the lines of the town. O'Neill, rallying the scattered Irish, came in haste to his relief, but was utterly and ruinously defeated; Don Juan surrendered, and reimbarked, glad on any terms to be quit of service among allies so feeble in the field; and gradually smouldering in scattered fires, which one by one were trampled out, the rebellion burnt down and was extinguished. A Nuncio came from Rome to stimulate the failing energies of the rebel leaders. No Catholic, it was solemnly proclaimed, could, without sin, submit to a heretic sovereign, far less take part against the faithful who were in arms for Holy Church. This miserable doctrine, which was the root and foundation of all Ireland's woes, which made toleration impossible, and compelled the maintenance of laws which in turn provoked insurrection, continued to work among the people, and had yet to issue in fresh and terrible consequences. But for this time O'Neill's insurrection had spent its force. The country was so dreadfully wasted that children were killed and eaten for food. In one place three wretched little creatures were found feeding on their dead mother. The horrors of such scenes were too powerful for the apostolic exhortation. The

Nuncio was killed in a skirmish. Hugh O'Donnell, who had gone to Spain for fresh help, died at the castle of Simancas, possibly by poison.[1] Fanaticism could do no more; and, at the end of 1602, the last rebel laid down his arms.

The sufferings inflicted by the war had been so dreadful that there was no further punishment, and the bloody scenes of the Geraldine conquest were not renewed. As the chiefs submitted they were received to mercy. O'Neill himself was left in the enjoyment of his earldom; few forfeitures were exacted anywhere; and such lands as had fallen to the crown from outlawed leaders killed in battle, were made the rewards of such of the Irish as had done service to the crown.

The re-establishment by law of the Catholic Church of Ireland, which had been the object of the insurrection, was once more rendered impossible. If the Popes would have renounced their pretensions to control the allegiance of Catholic subjects—if the Catholics themselves would have *bonâ fide* and by some formal act acknowledged that they did not recognize any right in the Pope to interfere between them and their sovereign, their claims for toleration, notwithstanding abstract theories of the duties of the State, neither could nor would have been long re-

[1] In the desperation of such scenes as were witnessed daily in an Irish rebellion, any means seem lawful which may help to end them. On October 9, 1602, Sir George Carew writes to Lord Mountjoy :—'O'Donnell is dead. The merchant that bringeth me the news I do trust; and I do think it will fall out that he is poisoned by James Blake, of whom your lordship hath been formerly acquainted. At his coming into Spain he was suspected by O'Donnell, because he embarked at Cork; but afterwards he insinuated his access, and O'Donnell is dead. He never told the President in what manner he would kill him, but did assure him it should be effected.' —*Calendar*, 1602, pp. 350, 351.

BOOK I.

sisted. A right which was steadily refused by themselves to members of a different communion in countries where the power was in their hands, would have been extended with only too much readiness to them by every Protestant government in Europe. Another century of fighting, however, was still necessary, before the bishops of Rome could learn that they were no longer sovereigns over the human conscience; and no Protestant state could recognize, without self-condemnation, the exercise of a religion among its subjects which elevates rebellion into a duty.

If the Catholics suffered under disabilities they were themselves to blame. The four provinces of Ireland had risen successively against England and the Reformation, and had been one by one defeated. At last, they had risen all together. They had been supported by the Catholic Powers as they desired, and they had again failed. Two at least of these rebellions, and those the worst and the last, need never have arisen under a wise government. They were the fruits of the injudicious economy which left the country inadequately garrisoned at a time when the religious passions had not yet assumed their virulent form; and from the neglect of the obvious duties which a conquering power owes always to the people subjected to it, and owes most of all at a crisis so serious. The smallest evil of insurrections is their immediate danger. Revolts are rarely without provocations, which in later ages excuse them, and ennoble them; and their suppression in blood leaves a legacy of hate which centuries fail to efface. Yet, after all, the battle had been fought and England had proved the stronger; and the Queen might now, had she so pleased, have insisted on a universal confiscation,

or made a profession of Protestantism a condition on which land might be held in fee. The estates of those who had been in rebellion, or had refused conformity, might have been granted to Englishman or Scot, or to any other of the Reformed creed, whose allegiance could be depended on; and though it might have been hard measure, it would have been in strict conformity with the usage and example of the Catholics themselves.

Once more it was decided to try a gentler method —to insist only on the abolition of the traditionary tribal rights which bred perennial anarchy; to leave the Catholics in possession of their estates; to make no curious enquiry into their creed; to let them be sheriffs and magistrates; to allow them seats in Parliament, and the same private toleration of their religion which all along they had enjoyed. It was hoped that they would recognize and respect the leniency of their treatment, and that the further assimilation of Ireland to English ways and character might be left to the gradual action of time.

Experience was to show that the Irish did not understand forbearance, that they interpreted lenity into fear, and respected only an authority which they dared not trifle with.

CHAPTER II.

THE INSURRECTION OF 1641.

SECTION I.

BOOK I. 1636

THE accession of James was looked forward to by the Catholics of both England and Ireland as the period of their suffering. So long as the English Jezebel lived the son of Mary Stuart was supposed to have concealed his true feelings. When her death set him free he was expected to declare himself a member of the Roman communion. The disappointment in England took the form of the Gunpowder conspiracy. In Ireland the corporations of Cork, Limerick, and Waterford announced that they were unable to allow the proclamation of a heretic sovereign. They ensconced themselves behind a supposed decree of the universities of Salamanca and Valladolid; and it seemed at first as if a general rebellion would again burst out. Waste, bloodshed, and misery had no terrors for a population who for centuries, of their own free choice, had lived in chronic war, and deliberately preferred it to a state of peace. To rise against England was a game in which success was always possible, and defeat had no perils, for the conquerors either could not, or dared not, inflict effectual punishment. The country, however, was utterly exhausted. There was no more present hope from Spain; and

CHAP. II.

1636

the late leaders were beaten to their knees. Mountjoy, by abstaining from violence, succeeded in quieting opposition, and the new reign was inaugurated by a general pardon. A wet sponge was passed over all the crimes committed against the late Queen. Three-quarters of the Catholic lords and gentlemen had been in arms against the crown; their disloyalty was forgiven; all who would surrender their lands received them again under letters patent on the tenure of English freeholds. Rory, the late O'Donnell's brother, was created Earl of Tyrconnell. Hugh O'Neill was reinstated, promising to forget his illusions and to be a good servant and subject in consideration of the mercy shown to him. Once more Ireland was to be conciliated.

The illusion lasted for four years. The English undertakers, in the expectation of quiet, flocked over into Munster and Leinster. English order and law began to root themselves, and Protestantism to become a settled institution. The gentle dealing with the insurgents was construed as usual into fear. They determined on one more desperate effort to save their country before it was too late. O'Neill and Tyrconnell, whose sister he had married, were again the intending leaders. They had written to Flanders to the Archduke for support. The conspiracy was discovered. The Earls tacitly confessed their guilt by flying abroad and refusing to return. Sir Cahir O'Dogherty, a hot youth of twenty-one, tried his hand alone, burnt Derry, and murdered the governor. He was hunted down and killed. A few of his followers were hanged, and had places assigned them in the Irish martyrology; and Ireland was once more quiet. But forbearance was now ex-

BOOK I. 1636

hausted; and the systematic colonization of Ulster, long understood by English statesmen to be the only remedy for the chronic disorder, yet delayed in mistaken tenderness, was at last resolved on. Though times were changing, the theory of landowning as a beneficial possession, as something yielding an annual profit, which the owner is entitled to spend on his own pleasures, had not yet superseded the more ancient principle. The lord of an estate was still essentially a tenant of the crown, entrusted with high administrative powers for which he was liable to give an account. When there was no standing army, and every able-bodied man was called on, if necessary, to defend his country or the law, the landlord was his natural officer. A great nobleman could bring into the field hundreds or thousands of retainers, who had been trained to look to him as their leader, and to whom he was the representative of authority. Military power carried with it military obligations, and a commander who betrayed his trust was exposed, justly and necessarily, to the extreme penalties of treason. The desirableness of governing the Irish, wherever possible, through chiefs of their own race, had hitherto indisposed the English Government in the highest degree to inflict forfeiture. It was a measure to which, except in desperate extremities, they had never resorted. But England had determined also that Irish anarchy should end; and if the Irish leaders showed themselves hopelessly and radically incurable, their opportunities of mischief must be taken away. In the three southern provinces the Irish element had been weakened. In Ulster it remained substantially intact. By this last treason of the two Earls and their confederates six counties were escheated to the crown—Donegal, Derry, Tyrone, Fermanagh, Cavan,

CHAP. II.

1636

and Armagh. Antrim and Down were already partially occupied by Scots—Western Highlanders, who for three centuries had been forming settlements in Ireland. They had been scarcely distinguishable hitherto from the native race, but they were capable of being reclaimed. Their chief, Sir Randal MacDonnell, or MacConnell, was created Earl of Antrim. The six escheated counties contained in all two million acres. Of these a million and a half, bog, forest, and mountain, were restored to the Irish. The half million acres of fertile land were settled with families of Scotch and English Protestants.

The long peace in England and the vast expansion of practical energy which followed the Reformation had produced hundreds of thousands of active enterprising men, who were looking for openings to push their fortunes. They had been turning their thoughts to America, but here in Ireland was an America at their own doors, with the soil ready for the plough. The grants were eagerly taken up. Unlike the Norman conquerors, who were merely military leaders, the new colonists were farmers, merchants, weavers, mechanics, and labourers. They went over to earn a living by labour, in a land which had produced hitherto little but banditti. They built towns and villages; they established trades and manufactures; they enclosed fields, raised farmhouses and homesteads where till then there had been but robbers' castles, wattled huts, and mud cabins, or holes in the earth like rabbit burrows: while, without artificial distinctions, they were saved from degenerating into the native type by their religion, then growing in its first enthusiasm into a living power which pervaded their entire being. Those who suffered were the chiefs, who were dis-

BOOK I. 1636

possessed by the forfeitures, they and their kerns and their gallowglass, the idle lads of mettle, who counted it shame to work, and looked on fighting and killing as the only worthy occupation of man. 'The churles,' 'the earth-tillers,' those who desired to be industrious, who by all writers on the state of Ireland, from the Pander downwards, had been excepted in the general condemnation—they were spared, and lived in peace, scattered among the colonists, on taking an oath to be loyal to the crown. If the meaning of government be the protection of the honest and laborious, and the punishment of knaves, not the smallest gainers from the Ulster settlement were the worthy among the Irish themselves, who were saved at last from the intolerable oppression under which they and their fathers from immemorial time had groaned. Privileges and prohibitions, which had separated the two races, were abolished, so far as statutes could extinguish them, and Irish and English were declared equal in the eye of the law.[1]

[1] 'Whereas in former times, after the conquest of this realm by his majesty's royal progenitors Kings of England, the natives of this realm of Irish blood, being descended of those that did inherit and possess this land before the said conquest, were for the most part in continual hostility with the English, and with those that did descend of the English, and therefore the said Irish were held and accounted and in diverse statutes and records were termed and called Irish enemies: Forasmuch as the cause of the said difference and of making the said laws and statutes doth now cease, in that all the natives and inhabitants of this kingdom, without difference or distinction, are taken into his majesty's protection, and do now live under one law, by means whereof a perfect agreement is or ought to be settled betwixt all his majesty's subjects in this realm: And forasmuch as there is no better means to settle peace and tranquillity in this kingdom, being now inhabited with many worthy persons born in his majesty's several kingdoms, than by abolishing the said laws and giving them free liberty to commerce and match together, so that they may grow into one nation, and there be an utter oblivion and extinguishment of all former difference and disorder between them: be it enacted . . . that all these laws be for ever utterly repealed.'—*Irish Statutes*, 13 James I. cap. 5.

CHAP. II.

1636

Then, for the first time, the natural wealth of Ireland began to reveal itself. Commerce sprung up, as yet unhampered by navigation acts or disabilities. Busy fingers were set at work on loom and at spinning-wheel. Fields, fenced and drained, grew yellow with rolling corn; and the vast herds and flocks which had wandered at will on hill and valley were turned to profitable account. A live-cattle trade was established with Bristol. Traders from half the ports in Europe came to Cork for salt fish, salt butter, and salt meat. The exquisite Irish wool, which the peasants' wives were learning to weave, but which grew in an abundance far beyond their home consumption, was exchanged in the south of Europe for wine. Portugal and Spain were supplied from the Irish forests with pipe-staves; and the Dutch had their shipyards in Irish creeks and havens, where the timber was excellent and cheap.[1] Population, which had remained stationary for a thousand years, began suddenly and swiftly to expand. In 1580 the inhabitants of Ireland were reckoned roughly at half a million,[2] and the Protestants among them were too few to be worth counting. In 1641 the population was almost a million and a half,[3] and among them were two hundred and sixty thousand Protestants.[4] When left to themselves the Irish had killed each other down in their perpetual wars, and the children had died for want of food. The institution of the policeman and the cultivation of the soil enabled a race to multiply in geometrical progression, which nature, by the habits with which she had endowed

[1] Macpherson's *History of Commerce.*

[2] 'Report by A. Trollope, addressed to Secretary Walsingham.' *MSS. Ireland,* Record Office.

[3] 1,466,000.

[4] Petty's *Political Arithmetic.*

BOOK I. 1636

them, intended perhaps to preserve only in more manageable numbers.

The favourable picture had, indeed, another side. If well with the earth-tillers, it was other than well with those who had hitherto been lords paramount, and had lived at their own idle will. 'There was peace,' says the latest and most accomplished exponent of the historical wrongs of Ireland,[1] 'but it was the peace of despair; there was prosperity, but among the supplanting strangers.' An act of Parliament, passed in Strafford's viceroyalty, shows the class into whose souls the iron was entering. 'Whereas,' says that act,[2] 'there are many young gentlemen of this kingdom that have little or nothing to live on of their own, and will not apply themselves to labour, but live coshering in the country, cessing themselves and their followers, their horses and their greyhounds, upon the poorer inhabitants, sometimes exacting money from them, to spare them and their tenants and go elsewhere for their suppers and breakfast, which the poor people dare not deny them . . . and whereas by that lawless kind of life of these idle young gentlemen and others, being commonly active young men and such as seek to have many followers and dependants, many other inconveniences are likely to arise, for they are apt, on the least occasion of disturbance, to rifle and make booty of his majesty's loyal subjects, and to be heads and leaders of outlaws and rebels, and in the meantime do and must support their excessive and expenseful drinking and gaming by secret stealth or growing into debt,'—justices of the peace were empowered to

[1] *The Cromwellian Settlement of Ireland*, by John Prendergast.
[2] 10 & 11 Charles I. cap. 16.

apprehend all such idle persons and commit them to gaol till they could find sufficient securities for their honest and quiet behaviour.

These young gentlemen, being the dispossessed heirs of the forfeited estates, are held entitled, though they were mischievous and idle, to be regarded with sympathy, because deprived of their lawful inheritance. Ireland would have benefited little from such owners of her soil had they remained in occupation. But the act describes, in reality, only the inveterate and immemorial habits of so-called Irish gentlemen before forfeiture was heard or thought of. Too vain of their birth to work, and enabled by the custom of the country to live on the plunder of the poor, they were finding at last the law too strong for them. The peasants whom they robbed were also Irish subjects, whose protection is made England's crime.[1]

[1] An expression in the act shows that the law was becoming feared, and that government was at last a reality. A farmer who a century before had refused to feed and lodge a party of these people would have been promptly hanged or shot. He was still afraid to shut his doors against them, but for another reason. 'The poor people,' the act of Parliament says, 'dare not deny them meat, drink, or money, for fear of some scandalous rhyme or song to be made on them, or some worse inconveniency.'

SECTION II.

BOOK I. 1608

MEANWHILE, though the Earls of Tyrconnell and Tyrone had failed to repeal the penal laws, the Catholics remained substantially unmolested. There was a full staff of archbishops and bishops. Chapels sprung up on all sides. Monasteries were repaired and filled with friars. Priests multiplied with the growth of the people, and were distributed in parishes without need of concealment. The Church throve with the country, and, while able to complain of persecution, practically suffered nothing from it. Two-thirds of the lands in the four provinces still remained in Catholic hands. In the House of Commons, although their powers were controlled by the representatives of the towns of the new settlements, they returned nearly half the members. In the Upper House they had a large majority. They were strong enough to extort from Charles the First a promise of a modification of the Supremacy Oath. It was necessary to remind them by proclamation that the Act of Uniformity remained on the statute book, and that their religious liberties depended on the Crown's indulgence. Fifteen religious houses, which they erected as if in defiance in Dublin itself, under the eye of Government, were seized and condemned. But these houses were soon restored. The proclamations were ridiculed; the hesitation in enforcing the law was construed into cowardice; and instead of gratitude for the connivance which left them the free exercise of their own forms of worship, they cherished

rather a firm and growing determination to wrench the church lands and the cathedrals out of the hands of their Anglican rivals.

Had the Protestants stood on even terms with them, superior energy might have asserted its supremacy by its own strength. Catholic landlords in the North preferred English tenants to their own people, when they felt in their purses the contrast between the improving stranger and the slovenly and unprofitable Celt; while every Irishman who conformed to Protestantism, adopted English habits, and became English in interest as well, finding himself divided by heresy from his countrymen, as effectually as if English blood was in his veins.

But the Catholics were one body. The Protestants to their misfortune were two. Of the Ulster settlers half were Scots and Presbyterians; the Scots in Down and Antrim followed the fashions of the new comers introduced by James; and, among the English undertakers, the Puritan element was powerfully present.[1]

The peculiar conditions of England had arrested the natural growth of the Reformation, and had created an ecclesiastical policy, which even at home was leading fast to civil war. The necessity of identical institutions had extended to Ireland the English forms, but they were forms which could assume a complexion either Catholic or Protestant. The colonists of the North had been chosen from the energetic middle classes in Scotland and England, who had small love for bishops and hated shams; and the bishops themselves, Archbishop Usher espe-

[1] Londonderry, which was built by the London Company, and settled by London people, was from the first the most Puritan town in Ireland.

BOOK I. 1607

cially, the Primate, were so generous in their sympathies, that but for the political ties which connected the established churches of England and Ireland, they would have brought about of their own accord a fusion with the Presbyterian congregations. In the Ulster settlement, for many years after its foundation, there was no practical distinction between Churchman and Dissenter. Both were alike Calvinists with a real belief, and there and there only Protestantism took root in the soil, and became aggressive, energetic, and strong.

The undertakers of Elizabeth in Munster and Leinster sprung from another class. They were the younger sons of the old country families; they had transported labourers from their fathers' lands, they had brought with them the feelings and habits of the country party at home. Their creed was traditional, and the main article of it was hatred of Puritans. They too called themselves Protestants, but the vital heat of Protestantism had never been kindled in their veins. The Anglicanism, which in England had a meaning, in Ireland was never more than a barren exotic; and, until the new comers in the North had introduced another spirit, the Church of Ireland had existed only as if to give point to the sarcasms of the Catholics. One of the Dublin churches was the Viceroy's stable. The choir of another was a tennis court, where the vicar acted as marker. The vaults of Christ Church were used as tap-rooms, where Catholics smoked, and drank, and jested; while the communion service, feeble counterfeit of the mass, was chaunted over their heads in the empty cathedral.[1] When the feeling of religion revived, such a man as

[1] Reid's *History of the Presbyterian Church in Ireland.*

Usher was irresistibly drawn in the direction where life was showing itself.

1607

The church theories of Laud and Charles, however, were not of the sort which would submit to be corrected by facts. The Episcopal Church of Ireland, it was said, was the Church of St. Patrick, holding the true Catholic faith, and administered by successors of the Apostles. When it was seen in its majesty, when it had cast out the accursed thing, the Genevan heresy, which denied the sacraments, Popery would bend before its authority, and acknowledge its claims. The sore spot was Ulster, and in Ulster the reforms were to commence. Two episcopalian Scots, Robert Echlin and John Leslie, were introduced into the sees of Raphoe and Down; Bramhall, a creature of Laud's, was sent to Derry; and the Act of Uniformity, which was left as a dead letter against the Catholics, was enforced against the Presbyterian ministers. They were required to obey the bishops, and introduce and use the English Liturgy. All who refused—all, that is, who were sincere and in earnest—were deprived of their cures. A High Commission Court sate in Dublin; canons were passed for ecclesiastical government; and dissent under any Protestant form was utterly prohibited. The Catholics were to be shown the true model of a church which contained all that was most precious in their own system, while it detested Calvinism as heartily as themselves.

A shipload of the expelled ministers sailed for New England to find there the liberty of conscience denied them in the Old World. The vessel was driven back by a storm. They re-landed, recovered courage, and dispersed among their people, where they continued privately to teach and preach. The Scots held sturdily

BOOK I. 1635

together, encouraged by the attitude of the English Parliament and the firm resolution among their people at home. Sterner measures became necessary. With the temper of England and Scotland growing critical, it became politically desirable to dragoon Ireland into a more submissive attitude. Ireland, if there were to be civil war, might be made at last useful to the crown, the very Catholic spirit of it promising for once to be of service, when Protestants were the enemies to be crushed.

It was with some such purpose that, in 1633, Wentworth, better known as Earl of Strafford, was appointed to the Irish viceroyalty. Promises had been already made to relax the Catholic disabilities. How much could be safely done in this way—what reforms could be introduced into the administration—how, above all things, Ireland's resources might be made available for the service of the crown, could be determined only on the spot by a competent judgment; and the ablest soldier and statesman on whom the King could rely gave his services for the purpose. Wentworth brought to Dublin with him a large intelligence, and the spirit of a great Englishman. In Church matters he carried out the views of Archbishop Laud. Laud's principles were, perhaps, really his own; at any rate, the enforcement of them seemed essential to his broad political aim. A commission was sent down into Ulster. Such ministers as could be found were arrested. A general oath was demanded of the settlers. They were required to abjure the Scotch Covenant and to swear implicit obedience to the King. To refuse was treated as treason. Multitudes fled into the woods to escape the visit of the commissioners. Some

went home to Scotland, others were sent to Dublin and imprisoned there. Wentworth, it seemed, was determined either to make them submit, or to drive them out of the country. Rebel in the presence of the Irish they could not; and when the choice lay between conformity and the loss of their estates, he perhaps considered that he might calculate safely on the result.

For Wentworth had not blinded himself to the value of the Anglo-Scotch settlement. He saw Ireland with the eye of a born ruler, and whatever concessions he might be prepared to make to conciliate Catholics, he understood perfectly that it was only by the presence of strong English colonies, laid down in the middle of them, that their rebellious spirit could be held in awe. He had no intention of opening a door for anarchy to burst out again; and his design was to carry the principles of colonization a step further, and settle Connaught as Ulster had been settled. North, south, and east, the English interest was now comparatively strong. Connaught was still Irish. Old abbeys continued unsuppressed in Mayo and Galway and Roscommon, the lands of which belonged in law to the crown. Few, if any, of the gentlemen had availed themselves of James the First's invitation to surrender their lands, and take them back under letters patent. They still held under the Irish custom of tanistry, and had no title-deeds to produce. The country lay waste, the habits of disorder continued unbroken. If Connaught were to become a useful province of the Empire—if, for one thing, it was to yield taxes, and the King's writ was to pass current there—the spell must be broken west of the Shannon, as it had been broken elsewhere.

BOOK I.

1639

The state of the tenures created an opportunity. A commission was appointed to survey the lands, and to trace and enquire into the titles of their professing owners. In strict construction, four-fifths of Connaught was found to belong to the crown; and Wentworth meditated taking advantage of the situation to make a new plantation. The intention, scarcely concealed, following so soon on the confiscation of the six counties, flung the Irish of the old blood into a frenzy of rage. Religious indulgence might satisfy the Anglo-Norman Catholics of the old settlements. The passions of the true Irishman were for the land, and he saw the land in large slices passing away from him to the stranger. What to him was King or Parliament, Calvinism or Anglicanism? The one fact, to which all else was nothing, was coming home to his heart, that the Englishman, by force or fraud, was filching from him the inheritance of his fathers.

The manner of Wentworth's proceedings was as imperious as the matter was alarming. The parties in Ireland which he respected, and of which alone, perhaps, he expected that any good could be made, were the late English settlers and the Catholics of English descent. The inquisition into titles was extended over the island. Claims were revived that were indefinitely remote. Deeds and records had perished in the Elizabethan rebellions, or had been lost or destroyed in the savage carelessness of Irish life. Yet the Viceroy insisted that the proofs must be forthcoming, or the title could not be allowed; and jurymen, who in such cases failed to find for the crown, were sent to meditate on their misdemeanours in the county gaols.

The Irish Parliament remonstrated. The King had promised that no claim should be revived from beyond sixty years. Wentworth considered that such a concession was impolitic and uncalled for. Ireland, in his eyes, was a conquered country, possessing no rights but such as he was inclined to allow. Before he could have carried out his policy, he would have had to deal, at all events, with a native insurrection. Never till then had spoliation so direct and unprovoked been attempted.

He had not, however, altogether miscalculated. The dread of the English Puritans was even greater than the indignation at the imperious Viceroy. In the midst of his other work, Wentworth had experienced no difficulty in raising an army. Parliament voted money freely. The Catholic peasants enlisted with eagerness, being willing, at all events, to be armed and organized at the expense of the Government. The levies were intended avowedly for service in Scotland. The Scots, finding that the Irish were to be let loose on them, threatened to send a force to Ulster, and raise and arm their own people there. The rumour spread that the Calvinist fanatics were coming over to destroy the Catholics root and branch; they gathered the more eagerly to Wentworth's standard; and, in the summer of 1640, when the Scots were coming into England, eight thousand Irish infantry and a thousand horse, recruited from the most dangerous classes in Ireland, the 'cosherers' of the Act of Parliament, the marauding vagabonds to whom industry, Protestantism, and England were equally hateful and virtually synonymous, were assembled, ready for mischief, at Carrickfergus. The straits to which the King was reduced recalled Went-

BOOK I. 1640

worth prematurely to England. The failure in the North, and the attitude assumed by the Long Parliament, prevented his return. Sir John Clotworthy, an Ulster Presbyterian, whose wife had been persecuted by the High Commission, joined Pym in demanding that the Irish Viceroy should be brought to trial He had meant—there could be no doubt of it—to use his Irish army in crushing Scotch and English liberty. He was impeached, tried for treason, and executed. Sir Christopher Wandsworth, whom he had left as Deputy, suddenly dying, the charge of Ireland fell to Sir John Parsons, the Master of the Court of Wards, and Sir John Borlase, the Master of the Ordnance—Puritans both of them, but men of no local weight or influence. The Earl of Ormond commanded the army; and the army, while it held together, was the real master of the country. The English Parliament, however, furious at the use intended for these troops, and not choosing that Ireland should be at the mercy of Papists, extorted from Charles an order that they should be disbanded. In appearance there was immediate obedience. The regiments dispersed. The arms were collected and carried to Dublin. An operation which threatened to be dangerous was accomplished without difficulty and without objection. The danger that remained was of another kind. There was no longer any force at all on which the Government could rely. Three half-famished regiments were all that were left, and Ireland was without a garrison.

SECTION III.

CHAP. II. 1641

We are now upon the edge of the gravest event in Irish history, the turning-point on which all later controversies between England and Ireland hinge. The facts, real or alleged, are all before us; for the excitement created was so terrible, that the most minute particulars were searched into with agonized curiosity. Forty volumes of depositions are preserved in the library of Trinity College, which tell the tale with perfect distinctness; and, as the witnesses relate one consistent story, they are dismissed by those who are offended by their testimony as imaginary beings, forgers, liars, and calumniators. The eagerness to discredit the charge is a tacit confession how tremendous is the guilt if it can be proved; the most certain facts can be made doubtful if they are stoutly and repeatedly denied; and not evidence but sympathy or inclination determines the historical beliefs of most of us. Those who choose to think that the massacre of 1641 was a dream will not change their opinion. Those who see in that massacre the explanation and the defence of the subsequent treatment of Ireland, however unwilling to revive the memory of scenes which rivalled in carnage the horrors of St. Bartholomew, are compelled to repeat the evidence once held to be unanswerable.

That a rebellion should have broken out at that particular time was in itself so natural that a looker-on might have predicted it with certainty.

The Irish, still passionately attached to their own

BOOK I. 1641

habits and their own creed, had seen the conquerors whom they had so long successfully held at bay, at last definitely established among them. Plantations of aliens were in their midst, owning the lands which had once been theirs, and growing rich and powerful. Forays out of the Pale they could defy and smile at. The Saxon bands came and went; crops might be burnt and cattle lifted; but, when the invaders were gone, the air closed behind them, and the losses could be made good by answering raids into the four counties. The colonists, on the other hand, were an ever-present affront, whom, by all laws of God and man, they were entitled, when they had them at advantage, to destroy. The English interest was growing; their own was falling. Soul and body they were alike being made slaves. The prelates of an alien and heretic church had seized their sanctuaries, daring to call themselves the representatives of their own saints, and claiming *ex officio* spiritual jurisdiction over them. Anglican might persecute Calvinist; the wolf might worry the wild dog: to the true Catholic, wolf and dog were alike abhorrent; Anglican and Calvinist were equally heretics, and the heretics were children of hell. England offered them material prosperity; they did not care for prosperity. England talked of order; the order of England to them was tyranny and spoliation. England might govern her own affairs in her own way. What was Ireland to her! Bogs might be drained, and forests fall, and the green Erin grow black under the plough; towns might rise, and mills, and looms, and warehouses; they were but badges of Irish servitude. 'The Irish thought,' said one of them, 'and will ever think, the English government a yoke of slavery. They

were determined to shake off a chain under which for a hundred years and more the whole nation had groaned.'[1] CHAP. II. 1641

In such a humour nothing was needed but opportunity, and they might have thought Providence itself was inviting them, at that moment, to rise and free themselves. There was no Viceroy and no army. The Lords Justices, Parsons and Borlase, were unpopular even among the English, and had no local influence or connections. The whole country had been exasperated and alarmed by Strafford's inquisitions. No one knew whether he might not rise the next morning and find himself a landless outcast. The High Church Commission and the political crisis in England had set the Protestants quarrelling among themselves. The gentlemen were for the King; the Ulster settlers were for the Dublin Government and the Long Parliament. There were eight thousand disbanded Catholic soldiers in the country, collected with the view of fighting Calvinists in Scotland, and far more willing to undertake the same business at home. Lastly and chiefly, 'England's difficulty was Ireland's opportunity.' The war between the King and the Parliament was on the point of breaking out, and neither side would have means or leisure to attend to Ireland. The scattered handful of men which the Lords Justices could dispose of would be overcome at the first effort; and, if it proved necessary or desirable to colour the rising under a decent name, nothing could be easier than to pretend that the troops were taking arms in the King's name and for the King's service, against the revolted Parliament. Add to this the

[1] 'Grave jugum sub quo a centum et quod excurrit annis tota natio ingemiscit excutere statuunt.'

BOOK I. 1641

natural fear, that if the Puritan party became dominant in England the Catholic religion would be in danger of violent extinction; and that, with a combination of conditions so propitious the Irish chiefs should have designed a universal insurrection requires no explanation. The miracle would have been if they had remained quiet.

But in so tangled a business there were many interests and many intervening purposes. The native Irish saw their way clearly. Protestants, Scotch and English, Anglican and Puritan, were their universal and deadly enemies. On the other hand, the Anglo-Normans of the Pale were Catholics, like the Irish, but they had not forgotten their connection with England. Ormond, though an Anglican, was one of themselves; he was the chosen general of the army which had been disbanded; and again, most of the English families who had settled in the South, were ardent Royalists. Thus it was no easy matter to agree on a common course. From the first there can be traced two principles and two parties, which continued divided throughout the whole rebellion and perplexed the action of it. The great Catholic nobles—Lord Gormanston, Lord Fingal, Lord Antrim, Lord Castlehaven—had no sympathy with murder and pillage. They were gentlemen with an honourable purpose, and loyal at heart to the English crown. They believed that, by loyalty at such a crisis, they could purchase the restoration of the Catholic religion, and perhaps of the six confiscated counties; but they had no intention of letting the settlers be destroyed, or of staining their cause with acts which the conscience of mankind would condemn.

No scruples of this kind restrained the kinsmen of the dispossessed chiefs of Ulster, or those others of the old blood who had been threatened by Strafford's inquisitions. To them the English were piratical and heretic invaders, who were robbing them of their lands, liberties, and faith—who had shown no mercy and were entitled to none—whom by any and all means they were entitled to destroy from out of the midst of them. It mattered little to the O'Neills and Maguyres who was king of England. They desired to be quit of England. If Charles turned Catholic, an English king would still be an English king. Catholic or Protestant he would not restore the confiscated counties. Ireland was theirs, to live in at their own will and in their own way, and they meant to have it.

The aims of two parties so wide apart were necessarily irreconcilable, yet each was willing to have the assistance of the other for immediate measures in opposition to the Puritans. Each had sufficient confidence in its own resources to believe that it could control the work when the beginning was once made.

With the Barons of the Pale the King himself was in private communication. The Irish Parliament had passed the vote by which the army had been raised, avowedly to assist the Government against the revolt of the Scots. When Strafford had been executed and the Parliament had forced Charles to dismiss the Irish troops, he was not to be blamed if in his extreme difficulty he turned his eyes to such of his subjects as seemed loyal and had promised effective service. An Irish gentleman, one of the Burkes of Clanrickarde, had gone over, to see and speak with the King on the part of the Irish nobility, in the summer

BOOK I. 1641

of 1641. The King sent him back with a letter of credit,[1] and a private message to the Earls of Ormond and Antrim, that they should keep the disbanded men together, add if possible to their number, and, when opportunity offered, should seize Dublin Castle and give them back their arms.

Ormond, understanding better perhaps than his master the danger of attempting such an enterprise, hesitated to obey; and Antrim, at Ormond's desire, sent back Captain Digby, the Constable of Dunluce, for more precise instructions. Charles repeated his commands, even directing Antrim explicitly, if he could collect the army, to declare openly against the English Parliament.

Antrim at once communicated with the leading Barons of the Pale and with the Ulster chiefs. His intention, as he afterwards admitted, was to move the Parliament at Dublin to act as the King desired, and to vote formally for the reassembling of the army. If the Lords Justices interfered, he meant to carry out his master's orders fully, take Dublin Castle, and arrest everywhere the leading Protestants who might threaten to be dangerous.[2]

'The fools,' Lord Antrim said, 'well liking the business, would not expect our time and manner for ordering the work, but fell upon it without us, and sooner and otherwise than we would have done, taking to themselves and in their own way the management of the work, and so spoiled it.'

'The fools' were the native Irish, who had other and more practical objects than the Earl of Antrim.

[1] 'You are to repair to Ormond and Antrim in Ireland, who are to give credit to what you say to them from us. C. R.'—'Information of the Marquis of Antrim,' *Hibernia Anglicana*, Appendix, p. 49.

[2] Ibid.

CHAP. II.

1641

For years past there had been uneasy symptoms that the volcanic elements were working towards a new eruption. In 1634 Emer Macmahon, afterwards the notorious Bishop of Clogher, informed Wentworth that mischief was in the wind; he himself, as he said, having been employed to feel the pulse of France and Spain. Flights of friars and priests, with old soldiers who had served on the Continent, had been observed latterly crossing back through England to Ireland.[1] Whispers were abroad that an insurrection

[1] The Catholics had a majority in the Irish Parliament, notwithstanding the Act of Elizabeth. How completely the Catholic Church was organized in Ireland is very little realized. Of practical intolerance there was at this time none at all. The Catholics were indulged to the uttermost, and therefore rebelled. The Irish Council, on June 30, 1641, wrote to Sir Harry Vane:—

'We lately received a petition in the name of the archbishop, bishop, and clergy now assembled in Dublin, wherein they complain that they see in their dioceses a foreign jurisdiction publicly exercised, and swarms of Popish priests and friars openly professing themselves by words and habits, to the outdaring of the law, the pressure of the subject, and the impoverishing the kingdom. And seeing that instead of that due obedience which the Popish pretended clergy ought to have rendered to the law, they break out into insolence and inordinate assemblies, holding of convocations, exercising jurisdiction, we may not be silent, it being apparent that such insolent beginnings may proceed to further and so general mischief as may prove the original of dangerous alterations. At Drogheda there is a house for a nunnery lately erected, so spacious as it contains four score windows of a side. In and about this city are supposed to be many hundreds of Jesuits, friars and priests, which extraordinary convention of so many of them cannot be for any good purpose.'— 'The Irish Council to Sir H. Vane, June 30.' *MSS.* Record Office.

Enclosed in this letter was a curious illustrative sketch of the condition of the diocese of Tuam:—

'Doctor Laughlin Kaolly, titular Archbishop of Tuam, is very public among us. He presents himself openly in general assemblies. He travels up and down with great companies. He is plentifully maintained, generally respected, feeds of the best, and it is a strife among the great ones who shall be happy in being the host of such a guest. Every church living in the province of Connaught hath a Romish priest as constantly as a Protestant minister entitled or assigned thereunto. The country suffers grievously under the charge of a double clergy — Protestant and Papist. They have everywhere their mass-houses, whereunto the people in

BOOK I. 1641

was at hand; and, early in 1641, Sir Harry Vane warned the Lords Justices to be on their guard. Catholic preachers had been inveighing louder than usual from their pulpits on the progress of heresy, commenting on the supposed malignant intentions of the English Parliament towards Ireland, and commending vaguely to the prayers of the congregations the success of some great design which was in hand for the preservation of the faith.[1] The Irish Parliament, composed of Catholics in nearly equal numbers, the Catholics slightly predominating, sate late into the summer. The members of the House of Commons were the extremes of both parties, and were equally bitter against Lord Strafford and the Government. A knot of Catholic barristers, patriots of the familiar type, had put themselves forward as the spokesmen of Irish grievances; clamouring for self-government,

multitudes resort, and that not privately but in a public braving manner.

'The friars swarm *hic illic et ubique*, and are often most in the highways in their habits. In Dunmore is a house consisting of a prior and thirty friars, which have their oratory, dormitory, refectory, &c., and observe the rites of their order as fully as when they were in Spain. Another abbey at Kilconnell, with as many or more; and conspicuous nunnery, wherein are many young gentlewomen, daughters of lords, knights, and the best of the country.

'The titular Archbishop of Tuam and his suffragans do publicly and powerfully exercise jurisdiction, and such obedience is given them by the natives, that the jurisdiction of our Church is altogether neglected.

'The nation, weary of the charge of a double clergy, do much repine at our ministers. They keep back tithes, conceal their glebes, deny them any place of residence, where they might look to their flocks. But, what is most grievous to us, they do maliciously indict them and their proctors at the assizes, and call them to the Parliament to their utter undoing, for no other cause but for receiving such customs as were antiently paid to their predecessors.'—'Remonstrances of Grievances in the Province of Tuam, June 12, 1641.' *MSS.* Record Office.

[1] *History of the Irish Rebellion*, by Sir John Temple. Temple was made Master of the Rolls in Dublin in 1640, and the contemporary of all, and eyewitness of many, of the scenes which he describes.

the repeal of Poynings' Act, the dismissal of the English garrisons, and the establishment of a militia; and the Protestant representatives, with the infatuation which has so often distinguished Irish Protestant politicians, had applauded them to the echo.[1] The Chancellor Sir Richard Bolton, Chief Justice Lowther, Sir Geo. Radcliff, the Bishop of Derry (Bramhall), and the Bishop of Cork (Chappel) were impeached.[2] A Committee of the Commons carried

[1] Colonel Audley Mervyn, of Fermanagh, a Protestant, was the most eloquent of the patriotic orators in this Parliament. He repented and atoned for his folly in the suppression of the rebellion. —*Relation of Occurrences as presented to the House of Commons in England*, by Lieutenant-Colonel Audley Mervyn, June 4, 1642.

[2] The Irish Parliament was so intent on these impeachments that it claimed to be the supreme judicial court of Ireland, and insisted that, by the constitution, it had power of life and death. The Lords Justices tried to temporize, but the Government party was in a minority in both Houses. On June 30, 1641, the Lords Justices and Council wrote to Sir Harry Vane:—

'What resolution they (the Parliament) will take for deferring or not deferring the proceedings against those persons we know not as yet, but conceive that most of the Papists in the House and some of the Protestants incline to the latter, whereby they are like to carry it by majority of votes, for in these two last sessions we find many Protestants (and no Papists at all, unless some few not able to appear) removed from the House, and new elections ordered to be made, and in some of their rooms Papists brought in, which is a great weakening of the Protestant party in the House.' — *MSS. Ireland*, 1641. Record Office.

Finding the impeachment pressed, the Lords Justices were obliged to meet it by a bill of general pardon for all offences. Government being completely paralyzed by the action of the two Houses, and the Lords showing a disposition to accept the pardon as an alternative, the bill was sent over for approval, with a request that it might be instantly returned.

'We conceive it necessary to be so at this time,' the Council wrote on July 1, 'whereby confidence and security may be rendered not only to all ministers of the Crown who are now very fearful in the course of their employments, but also to all his majesty's subjects of the kingdom in general. In this act of free pardon persons impeached of treason in Parliament here are included, which we think fit to mention to you, to the end his majesty may be acquainted therewith as a thing we hope not displeasing to him.'

Even to this pardon it was necessary to make two exceptions, so

BOOK I. 1641

the complaints of the House to London[1]—complaints of injury to trade, monopolies, the High Commission Court, inquisitions into titles and arbitrary powers; and the Parliament declared itself in permanent session till part at least of their requests were granted.[2]

hateful the High Church bishops had made themselves. A postscript adds :—

'We conceive that if the Lord Bishop of Derry and the Lord Bishop of Cork be not excepted in the pardon it will be the more difficult to pass it in both Houses. Wherefore there is a clause inserted in the pardon excepting them both as to crimes, yet so as the treason whereof the Bishop of Derry is impeached in Parliament stands pardoned.'—*MSS.* Record Office, 1641.

The bill was conceded, but the Parliament did not choose to wait for its return, but continued to press violently for the judicial sovereignty. The two Houses passed a declaration of rights, which Sir William Parsons forwarded on July 21.

'You see,' he writes to Sir Harry Vane, 'with what vehemency and a kind of eager postulation they press for jurisdiction. The danger threatened to the English and his majesty's servants in allowing them jurisdiction in capital causes doth daily more and more appear here, and I doubt not is foreseen then.' —'Sir Wm. Parsons to Sir Harry Vane, July 21, 1641.' Ibid.

The invaluable letters of the Lords Justices before and during the rebellion, preserved in the Record Office, have never been published, and dispose, with a ludicrous completeness, of the plea of the Irish Catholics, that they took arms to defend themselves against the supposed Puritan tendencies of the English governors. Throughout the summer of 1641, when Parsons and Borlase were charged with meditating a persecution, their letters display nothing but the most profound alarm, and consciousness of their helpless position.

[1] Among the grievances presented by the Parliament was one which showed how strongly the Irish element was already in the ascendant.

The Commons complained of 'the national distinction made in the late plantations, by which it was provided that the Irish nation should be debarred from purchasing or acquiring estates of inheritance further than at the first distribution of the lands was assigned them.'

'The object,' the English Council observes, 'was that the British undertakers should be maintained at their first strength without encroachment of the Irish upon them to the lessening of their proportion, so that none were allowed to purchase but such as were of English descent.'

The Council—again a remarkable commentary on this supposed intention of the Puritan English Parliament to exterminate the Irish nation—recommended that the distinction should be abolished.—'Council Note, May 27, 1641.' Ibid.

[2] 'We daily expect the coming of the Connaught Act, and that of Limitation, and the Parliament

Some uneasiness had been felt at the number of disbanded soldiers at large and in idleness.[1] A proposal had been made to send them abroad into the Spanish or Portuguese service, but objections were raised and it was dropped.[2] Antrim had not at that

will not incline to hear of an adjournment until they come over.'—'Sir Adam Loftus to Sir Harry Vane, July 24.' *MSS. Ireland*, Record Office.

The Catholics insisted afterwards clamorously on their loyalty throughout to Charles the First. Charles, in return for the Act of Limitation and the surrender of his rights on Connaught, had required a better organization of the Customs revenues. Loftus adds:—

'If these acts pass the royal assent before the King's couriers be likewise speeded, I fear if this can be once finished, that which concerns his majesty will have but slow motion; and therefore I think it would stand with all the reason that can be, that in the first place those things which concern his majesty might first be agitated, and then what concerns the people fully be completed. And in truth all that is desired for his majesty is in no way valuable in respect of those great graces and bounties which they now expect and make themselves sure of.'

[1] There was a delay in disbanding them from want of money. On May 12 the Lords Justices write:—'This kingdom is most fearfully robbed and harassed by the soldiers in every part where they come. They go six or seven miles from their garrisons, and rob houses, and take all they meet with on their way, and do all the mischief that can be. We have not had a penny these four weeks to give them. There is no martial law to govern them, which they knowing do what they list. The people suffer (bear with) much because they are Papists, *wherein there is some mystery, but certainly no good to us.*'—'The Lords Justices to Sir Harry Vane, May 12.' Ibid.

[2] Orders came in June to ship part of the army for Portugal, and transports came from England to Cork harbour for them. The Catholic clergy became immediately suspiciously busy in endeavouring to keep them at home.

The Council write on June 30 to Vane:—

'There was great underhand labouring among the priests, friars, and Jesuits to dissuade the disbanded soldiers from departing the kingdom. On receipt of your letter we sent orders to all the ports for seizing all Popish books that shall be brought in; as also to inform us what number of Jesuits, priests, and friars have arrived, and what number of soldiers who have had command abroad.'

On June 9 Captain Thomas Serle deposed that 'as he rode from Dundalk to Drogheda in company of Lieutenant Flower, he observed in the highway near Dunleary thirty or forty of the late disbanded army in a cluster. Also he saw a man about fifty years old on horseback, discoursing with them in Irish. Lieutenant Flower, who speaks the language, after some

BOOK I. 1641

time received his final orders from Charles. The Irish committee lingered in England, but the Houses having received assurances from them that their petitions were granted, at the beginning of August there was the usual separation for the harvest, and the session was adjourned till November. Captain Digby returned presently after; and had the 'fools,' as Lord Antrim called them, remained quiet in the interval, the King's orders would have probably been carried out, and Dublin Castle been successfully seized as soon as Parliament reassembled.

The Catholic leaders meanwhile had talked over their plans among themselves. At the beginning of October,[1] the leading Catholic clergy and laity met

conference with the man, told him (Captain Serle) he conceived the man was a Romish priest or friar, for he had seen part of his hairy vestment; and besides, the priest had declared to him that he had advised the said soldiers on his blessing, that none of them should depart the kingdom to any foreign employment, but rather they should stay at home, though they lived only on bread and milk, for that there might be use for them here."

'The same day he observed about a thousand others of the said army travelling the same way.'—'Examination of Captain T. Serle, June 9.' *MSS. Ireland*, 1641. Record Office.

On August 3, after the Parliament had decided that the soldiers were not to go, Parsons writes:—

'We send you the suit of Parliament, and reasons for the stay of the men to be sent over seas. *We formerly wrote to your Honours how the priests had laboured in that business. Now you see the strong influence of those priests upon all public business here, in so much as they are able to guide the whole Parliament*, the Papist votes being now strongest, to such a motion quite cross to his majesty's commands, which we often declared unto them [the Catholic leaders knew Charles' secret wishes better than the Lords Justices], specially in a business which is really rather against than for the public peace and safety, and which few men of understanding are not persuaded of, save that they desire to keep as strong a party here as they can for other ends, chiefly if anything touching religion should be in earnest pressed upon them.'—'Sir Wm. Parsons to Sir H. Vane, August 3, 1641.' Ibid.

[1] The priests had been busy with their meetings all the summer. 'In Whitsun week there was a great assembly of them gathered at the wood of Maynooth. Divers gentlemen were solicited to meet at that assembly, and some refused to be there.'—'The Irish Council to Sir H. Vane, June 30.' Ibid.

CHAP. II.

1641

at a Franciscan abbey in Westmeath,[1] to discuss a question, on which their opinions were divided—the course to be taken with the Protestant settlers who were scattered over the country. That they must be dispossessed was a matter of course; it was the price of the co-operation of the Celts; but whether by death or banishment was undecided. According to the priests, heretics were disentitled to mercy. The less violent party considered that massacres were ugly things, and left an ill name behind them. The Spanish princes, whose orthodoxy was above suspicion, had not exterminated the Moors, but had allowed them to return to Africa. More savage measures might perhaps be displeasing to God, and would certainly exasperate England in the highest degree.

On the other side it was urged, that the example of the Moors told for the opposite conclusion. Europe had suffered ever since from the Algerine pirates, who, had there been a general massacre, would never have existed. Ireland would, at all events, have to count on the worst that England could do. Banished men might come back with swords in their hands; and the policy, at once wisest and safest, would be to destroy them when the opportunity was in their hands.

The majority at the meeting declined these violent counsels. They determined to be loyal to the King, to stand by him in his present difficulties, and expect in return from his gratitude the re-establishment of their religion and the restoration of the lands. The

[1] Deposition of Henry Jones, Dean of Kilmore, *Hibernia Anglicana*, Appendix, 9. Dr. Jones received an account of this meeting from a Franciscan friar who was present. Cf. Temple, p. 129.

BOOK I. 1641

minority departed unconvinced, resolved to take their own way.

The natural chief of the Irish at this time was the nephew of the Earl of Tyrone, Owen Rory O'Neill. Owen Roe—so he was called—was in Flanders. The confederates wrote to him. He promised to return and place himself at their head as soon as the insurrection had broken out. The command, meanwhile, fell to his cousin, Sir Phelim, who had been educated in England as a Protestant, but on coming back to his estates had relapsed to the creed of his ancestors. At Dublin, during the session, and afterwards in the autumn, at Sir Phelim's house in Ulster, the patriot leaders had met and concerted their plans. The chief conspirators in this separate distinctively Irish council were Sir Philip himself, Lord Maguyre of Fermanagh, an Irish peer, a youth of twenty-five; Philip O'Reilly, a lawyer and a popular speaker in Parliament; Hugh MacMahon,[1] and his brother Emer the Vicar-General, afterwards Bishop of Clogher,[2] Roger Moore, one of the Moores of Leax; and a friar of Dundalk.

The Bishop of Clogher was the brain of the enterprise, and in the main directed the course which was to be pursued. Acquainted, as the conspirators were, with the views of Antrim and the Pale Lords, they had made up their minds to act independently of them, and render temporizing and half-measures impossible.

Rents and taxes were paid in Ireland on November 1. At the end of October the treasury at

[1] Grandson of the Earl of Tyrone. Hugh MacMahon was a gentleman of good fortune.

[2] 'Relation of the Lord Maguyre.' Borlase, *History of the Irish Rebellion*, Appendix, p. 2.

Dublin was empty. The tenant's half-year's rent was in his own hand. His crops were housed. The high winds at the fall of the year made communication with England at that time always uncertain, and the autumn of 1641 was exceptionally wild. A blow struck simultaneously and fiercely over the whole North, without a note of warning, might crush the English settlement and the English religion at once and for ever. The priests were ready-made instruments by which such a plot could be organized without a trace of it going abroad; and Ulster, once delivered, the rest of the island might be trusted to follow the pattern. The seizure of Dublin Castle, part of Antrim's programme, was equally essential to the plans of Sir Phelim O'Neill. Arms for nine thousand men were in the cellars there, and the command of Dublin would be the command over Parliament and country.

October 23 was market day in Dublin, and strange faces would attract no attention in the streets. It was determined that, on October 23, Sir Phelim should surprise Londonderry, Sir Henry O'Neill Carrickfergus, Sir Con Magennis Newry. Lord Maguyre and Hugh Macmahon undertook the more difficult enterprize at Dublin, while, in the whole North on the same day, the Irish people were to rise and dispose of the English settlers and their families. No distinct directions were probably given about killing them. An Irish mob let loose upon defenceless enemies might be left to their own discretion in such a matter. The order was to drive them from their houses; strip them—man, woman, and child—of their property, strip them even of the clothes upon their backs, to take such chances of life as the elements

BOOK I. 1641

would allow, in the late autumn, to human existence turned adrift amidst sleet and rain, without food or covering. The Scots, of whom there were several thousand families in Ulster, were to be left, if possible, unmolested. To divide the interests of Scots from English would make the work more easy; and there was a fear, perhaps, of offending the Earl of Antrim, whose wife was herself a Protestant.

The secret was admirably kept. Sir William Cole, of Fermanagh,[1] reported at the beginning of the month,[2] that the Irish appeared restless. The meetings at Sir Phelim's house had been noticed, and Maguyre's movements had seemed mysterious. On the 21st more exact information enabled Cole to take measures for the safety of Enniskillen; but the warning letter which he despatched to the Lords Justices was intercepted on the road.

[1] The Coles came to Ireland among the colonists of James the First, and settled in Fermanagh in 1611. [2] October, 1641.

SECTION IV.

CHAP. II.

1641

Oct. 22.

On October 22 the Irish leaders repaired to their posts. Lord Maguyre, Hugh Macmahon, and Roger Moore came openly into Dublin, as if on ordinary business. Their friends stole in under cover of the market. The Government was so unconscious of danger that no difficulty whatever was anticipated in the surprise of the castle. When the arms were secured, the intention was to call Parliament instantly, and to raise an army in the King's name. At the last moment the conspiracy was revealed, but in so strange a manner that the information was almost discredited as an idle tale. On the night of the 22nd, an Irishman named Owen O'Conolly, who had lived in the family of Sir John Clotworthy, had been converted there, and was now a Presbyterian elder, came in a strange excited state to Sir William Parsons and told him, that in a few hours Dublin Castle would be taken by rebels. His story was that he had been drinking with Hugh MacMahon, and that MacMahon had taken him into confidence, and invited him to join. Parsons bade him to go about his business as a drunken fool.[1] He retired

[1] Such was the generally received story. Parsons in his own account, written within two days of the event, says nothing of Conolly being drunk, or of his having disbelieved his account.

'On Friday, the 22nd, at nine o'clock,' he writes, 'Owen Conolly, servant to Sir John Clotworthy, came to me, the Lord Justice Parsons, in great secresy, as indeed the case did require, and discovered unto me a wicked and damnable conspiracy, plotted and contrived by the Irish Papists. The plot was, on the then next morning, Saturday, October 23, being Ignatius's day, about nine o'clock, to surprise the castle of Dublin, the principal magazine of his majesty's arms and

BOOK I. 1641

but held fast to the thought which was ever present in his mind. As the night went on, and he became more collected, he went back, and persisting in his account obtained attention at last. The castle gates were closed and the watch manned; MacMahon and Lord Maguyre were taken; and Roger Moore, and the rest, finding that their stroke had missed, escaped out of the town. Dublin was saved. Unhappily there had been no Owen O'Conolly to sound the alarm in the Ulster farmhouses. The Ulster farmers, dispersed, surprised, and isolated, became the helpless victims of Irish ferocity on a scale on which it has rarely had an opportunity of displaying itself.

It does not fall within the purpose of the present history to relate circumstantially the scenes which followed. Inasmuch, however, as Catholic historians either deny their reality altogether, slur them over as enormously exaggerated, or lay the blame on the Protestants as the first beginners of violence; and inasmuch as the justification of the subsequent policy of England towards Ireland depends upon the truth of events of which the recollection was kept alive for a century by a solemn annual commemoration, it is necessary to relate briefly the outline of those events as recorded by eyewitnesses, who were examined in Dublin, fresh from the scenes which they had witnessed,

munition; and it was agreed among them that, at the same hour, all other his majesty's forts and magazines of arms in the kingdom should be surprised by other of the conspirators. Further, that all the Protestants and English throughout the whole kingdom that would not join them should be cut off, and so those Papists should become possessed of the Government and the kingdom at the same time.

'As soon as I heard that intelligence I repaired to the Lord Justice Borlase. We assembled the Council, and having sate in Council all that night as also all the next day, Oct. 23, we caused the castle to be strengthened with armed men,' &c.—'The Lords Justices to the Earl of Leicester, October 25, 1641.' *MSS.* Record Office.

before commissioners 'of known integrity;' men of all stations and of both nations, whose evidence is the eternal witness of blood which the Irish Catholics have from that time to this been vainly trying to wash away.[1]

On the morning of that fatal Saturday there appeared, before the houses of the settlers and their tenants, in the six escheated counties, gangs of armed Irish, who demanded instant possession, and, on being admitted, ejected the entire families, and stripped most of them to the skin.

Many resisted and were killed; many, the young vigorous men especially, who could save their own lives by flight, sought shelter for their women and their little ones in the houses of their Irish neighbours, with whom they had lived in intimacy. The doors of their neighbours were opened in seeming hospitality; but within there were not human beings—not even human savages—but ferocious beasts. 'The priests had so charmed the Irish, and laid such bloody impressions on them, as it was held a mortal sin to give relief or

[1] The sworn depositions remain, as I said, in Trinity College. Already, in Sir John Temple's time, the Catholics had begun to declaim against 'these evidences of their cruelty, and lively attestations given in to perpetuate the memory of them, to their eternal infamy.'—Temple, Preface, p. 16. Dr. Curry dismisses 'the enormous heap of malignity and nonsense,' as he calls it, on the ground of a supposed discovery that, in '*infinitely the greater number*' of the depositions the commissioners' attestation of them as 'being duly sworn' is struck through with a pen, thus reducing their value to random statements.—*Review of the Civil War in Ireland*, p. 176. No doubt these volumes of evidence were justly painful to Dr. Curry. An examination of the originals, however, shows that the erasures, so far from being found in 'infinitely the greater number,' are found in relatively very few, and so far from invalidating the authority of the depositions, are rather a proof of the scrupulous care with which the commissioners distinguished between fact and hearsay.—Compare Reid, *History of the Presbyterians in Ireland.*

BOOK I. 1641

protection to the English.'[1] Fugitives admitted to shelter are sacred in the Arab tent or the Indian wigwam. These helpless ones were either betrayed to the ruffians out of doors, or murdered by their hosts. There were of course exceptions. An entire nation cannot at once and universally put off the feelings which connect them with their kind. Some families were sent with escorts to the sea; nor does a universal massacre appear at first to have been anywhere deliberately designed.[2] Passion, however, was exas-

[1] Temple.

[2] The contemporary accounts agree mainly that, during the first week, there were few or no deliberate murders. On October 24, Lord Chichester, writing from Belfast, says that the Irish had taken Charlemont, Dungannon, Tonderagee, and Newry, with all the military stores in them. Fires were visible all over the country; farms and villages burning; but, so far, Lord Chichester could not learn that 'they had slain more than one man.' —'Lord Chichester to the King, October 24, Belfast.' *MSS. Ireland*, Record Office.

All the accounts agreed, on the other hand, that the pillaging, stripping, and burning were universal. Colonel Audley Mervyn, who was present in Ulster during the first three months of the insurrection, says that 'they were surprised so suddenly that the Irish servant, who overnight was undressing his master, the next morning was stripping master and mistress. In the twinkling of an eye, corporations, towns, villages were blazing; men, women, and children, of all ranks, exposed by hundreds naked on the mountains, and dying of cold.'

But the forbearance, such as it might be, was soon ended.

'Nakedness and famine,' Colonel Mervyn says, 'were judged overslow executioners. Then entered the sword, destroying at first with the scabbard on, the rebels, under pretence of convoy, inviting the scattered and hidden Protestants into a body, that so they might make each surviving man an executor to the last murdered in his presence, and so the whole line one by one extinguished; the Irish priest, as ordinary, administered for all.

'*Out of the county of Fermanagh, one of the best planted counties with English, I could never give account of twenty men escaped, except, which is most improbable, they should flee to Dublin. Having enquired from prisoners by name for such and such, they have informed me they were all massacred.* The Blackwater, in Tyrone, had its streams dyed in blood, there being at one time 200 souls murdered on the bridge and flung down the river.'—*Relation of Occurrences*, by Colonel Audley Mervyn.

On December 1—I am particular about these dates, because it is insisted that the story of the massacre was an afterthought, made up in the following year to justify the confiscation of the estates of the insurgents—on December 1

perated by the failure of parts of the scheme, which would have given the leaders political control. The ill-success at Dublin was not the only disappointment. Sir Wm. Cole saved Enniskillen. Naked men, flying for their lives, carried the alarm to Derry, Coleraine, and Carrickfergus, and the inhabitants had time to close their gates. Murder, the Irish writers say, was begun only in retaliation. The first blood, they affirm, was shed at Island Magee, early in November, when three thousand Catholics were killed by the garrison of Carrickfergus.[1] Were this story true,

a petition was presented to the English Parliament, signed by the Irish Council, stating that there were then 40,000 rebels in the field. 'Their tyranny,' says this document, 'is so great, that they put both man, woman, and child that are Protestants to the sword, not sparing either age, sex, degree, or reputation. They have stripped naked many Protestants, and so sent them to the city—men and women. They have ravished many virgins and women before their husbands' faces, and taken their children and dashed their brains against the walls in the sight of their parents, and at length destroyed them likewise without pity or humanity.'

On December 14 the following letter from Ireland was read in the English Parliament:—

'All I can tell you is the miserable state we continue under, for the rebels daily increase in men and munition in all parts, except the province of Munster, exercising all manner of cruelties, and striving who can be most barbarously exquisite in tormenting the poor Protestants, cutting off their ears, fingers, and hands, plucking out their eyes, boiling the hands of little children before their mothers' faces, stripping women naked and ripping them up,' &c.

Even Richard Beling, the passionate defender of the Catholics, one of the authorities for the charge that Parsons and Borlase did not try to stop the rebellion, but let it extend for the sake of the expected confiscations, half confirms, in shame, Sir Phelim O'Neill's barbarities.

'O'Neillus,' he says, 'Neurium aliasque munitiones cepit, nec consternatus animo dum Baronis Maguyre sortem rescit arma abjicit. Sed ad vindictam potius respiciens plures in suâ Provinciâ turbas ac tragœdias excitat, paucisque cum copiis iisque inermibus plurima præstat contra ejus provinciæ Anglos et Scotos multum animo consternatos, etiam minus si vera referuntur in Catholico viro probanda.' — *Vindiciæ Catholicorum Hiberniæ*, by Richard Beling, 1650.

[1] The Irish defences have taken many forms. Nicholas French, titular Bishop of Ferns, in the book in which he compares Ireland under the Cromwellians to the Bleeding Iphigenia, insists with admirable audacity, that there had been at first

BOOK I. 1641

there is something *naïve* in the complaint that soldiers appointed to keep the peace should have used strong

no rebellion at all—only a stir of a few discontented people, which was converted afterwards into a national rising by the malicious misrepresentations of the Lords Justices.

'It is objected,' he says, 'that the Irish were the first aggressors. The objection is easily answered. It is a common doctrine of divines, that it is lawful to prevent an evil that cannot be otherwise avoided than by preventing. I see you taking your pistol in your hand, cocking it to shoot at me. In that case it is lawful for me to discharge my pistol and kill you. This was the case of the confederate Catholics. There was no other door open for them but by preventing the Presbyterians' bloody design.'—*The Bleeding Iphigenia*, by the Right Rev. N. French, Bishop of Ferns, 1674.

Compare with this daring assertion a letter written on the spot and at the time by Sir John Temple to Charles the First, describing the actions of these 'few insignificant people,' and the real feeling about it of the Dublin Government. The date is December 12, 1641:—

'I humbly beseech your majesty to give me leave to represent to you the miserable condition of this your kingdom, which lies now desperately bleeding and will expire under the weight of the present calamity, unless your majesty shall apply some powerful remedy. The whole state lies now at stake, and our distempers are grown to that height as they will not much longer attend our expected supplies. We are brought so low as unless succours presently arrive we must here undoubtedly perish, and your majesty be put to a far greater expense of blood and treasure for the recovery of this kingdom than your royal progenitors were in the first conquest of it. The whole province of Ulster is entirely in possession of the rebels, except that part which is possessed by the Scots, who stand upon their guard, and for want of arms and commanders dare not adventure to attempt anything of moment against the rebels. A great part of Connaught is likewise at their devotion, and the whole province of Munster not only wavering but already hath in several parts made a defection, and now, to render our condition desperate here in the city, the Lords of the Pale stand upon their guard, have entertained several parlies with the rebels of Ulster, and all their tenants and followers inhabiting in these counties are not only large contributors to their subsistence here, but do themselves rob and despoil the English up to the very gates of Dublin.

'But that which makes this rebellion more dangerous and formidable, and indeed makes it differ from all others that have heretofore happened in this kingdom, is that they have profaned your sacred name, and infused into the belief of the people that what they do is not only by your majesty's avowment, but by commission under your majesty's signature. Besides, the cause of their taking arms they pretend to be religion, wherewith their priests and Jesuits have with so great artifice and cunning entertained them, making them believe that the Romish religion was presently to be rooted out here, that

measures when the country was in the hands of bands of robbers, who were confessedly plundering the entire province. Every detail of that business, however, is preserved, and can be traced to the minutest fibre of it. The date was not November but January.

horrid persecutions were now intended, and cruel massacres to be suddenly executed upon all professors of the same. By these and other delusions they have drawn together infinite multitudes of people, and caused them to take arms and an oath for the defence of their religion and the delivery of the kingdom from the present government, which they resolve no longer to endure, but will, as they say, under your majesty, have a governor designed unto them out of their own nation.

'Thus enraged and armed by these pretences, they march on, furiously destroying all the English, sparing neither sex nor age, throughout the kingdom, most barbarously murdering them, and that with greater cruelty than ever was yet used among Turks and infidels. I will not trouble your majesty with the sad story of our miseries here. *Many thousands of our nation are already perished* under their cruel hands, and the poor remainder of them go up and down desolate, naked, and most miserably afflicted with cold and hunger, all inns and other places in the country being prohibited, under deep penalties, to entertain or give any kind of relief to them, so as here we sit, wearied with the most lamentable complaints and fearful outcries of our poor distressed countrymen, and have no means to afford them any redress, nor indeed any great hopes long to preserve ourselves and this city from the fury of the rebels who threaten us with ruin and desolation.

'The Lords Justices have not been wanting to use the best means they could for the preservation of this place, not only by the most earnest representations of their condition here, and the impossibility to subsist without succour out of England, but by raising of men and gathering together such forces as the place could afford. Yet, notwithstanding all their endeavours (besides the 2,000 men under Sir H. Tichborne now besieged in Drogheda), they are not able to bring into the field above 3,000 men, both horse and foot, most of them citizens, many of them Irish, who, we have just cause to suspect, will, on the first encounter, desert and carry over their arms to the rebels.

'In this position we daily expect to be besieged by strange multitudes of people, who have already come from all parts, and have on all sides encompassed this city, which is of itself no ways defensible; and if it were, yet they will hinder our markets and so bring a famine among us, which at this present they may the more easily effect by reason that many thousands of the despoiled English women and children are now come in to take sanctuary among us.'—'Sir John Temple to the King, December 12, 1641.' *MSS.* Record Office.

BOOK I. 1641

Alaster Macdonnell had destroyed some English families in their beds at Kilrea. Seventy or eighty old men, women, and children, had been killed on the road by the same party near Ballintoy and Oldstown. On the Sunday following, January 9, a party of the expelled farmers, maddened by their losses, accompanied by a few soldiers from Carrickfergus, slew in revenge thirty Catholics at Island Magee.[1] Thirty persons put to death, in the frenzy of provoked rage, on January 9, 1642, when the cries of perishing men and women were going up from every corner of Ulster, have been converted into three thousand at the beginning of November, and the crimes of the Irish represented as the self-defence of innocent victims defending themselves against unprovoked assassination. When will the Irish Catholics, when will the Roman Catholics, learn that wounds will never heal which are skinned with lying? Not till they have done penance, all of them, by frank confession and humiliation—the Irish for their crimes in their own island—the Catholics generally for their yet greater crimes throughout the civilized world—can the past be forgotten, and their lawful claims on the conscience of mankind be equitably considered.

Forbearance did not last beyond a few days, if so long. Rallying from their first surprise, the Protestants gathered into bodies and made fight; and from that moment the conduct of the rebellion fell entirely into the hands of the most violent. Charlemont Castle, the strongest fortress in Ulster, was

[1] The particulars are given exactly by Dr. Reid, *History of the Presbyterian Church in Ireland*, vol. i. pp. 326, 327. The Catholics, it is to be admitted, are able to quote this extravagant story from Lord Clarendon. Lord Clarendon's imagination was capable of a wide flight, when a stone could be thrown at Presbyterians.

surprised on the fatal 23rd of October by Sir Phelim O'Neill. Lord Caulfield, who was taken there, was afterwards murdered.[1] A deed being found in the muniment room with the great seal upon it, Sir Phelim forged a commission from Charles, attached the seal, and went forward in the King's name. In a fortnight, with the exception of the few places mentioned as having escaped, every town, village, fort, or private house belonging to a Protestant in the six counties and in Down and Monaghan was in the hands of the insurgents, while the roads were covered with bands of miserable fugitives dragging themselves either towards Dublin, or Derry, or Carrickfergus, pursued and harassed as they went by bands of wretches, who were hunting them like starved jackals. Murder when the spirit of it has gone abroad becomes a passion; and man grows more ferocious than a beast of prey. Savage creatures of both sexes, yelping in chorus, and brandishing their skenes; boys practising their young hands in stabbing and torturing the English children—these were the scenes which were witnessed daily through all parts of Ulster. The fury extended even to the farm-stock, and sheep and oxen were slaughtered, not for food, but in the blindness of rage. The distinction between Scots and English soon vanished. Religion was made the new dividing line, and the one crime was to be a Protestant. The escorts proved in most cases

[1] 'Not by Sir Phelim's order, or with his consent. Lord Caulfield and his family were carried as prisoners to Sir Phelim O'Neill's house, and Lord Caulfield, in Sir Phelim's absence, was shot dead by his foster brother.' 'Sir Phelim on his return,' says a contemporary writer, 'caused the foster brother and two or three villains more to be hanged.'—*Relation touching the Present State of Ireland.* London, 1641.

BOOK I. 1641

but gangs of assassins. In the wildest of remembered winters the shivering fugitives were goaded along the highways stark naked and foodless. If some, happier than the rest, found a few rags to throw about them, they were torn instantly away. If others, in natural modesty, twisted straw ropes round their waists, the straw was set on fire. When the tired little ones dropped behind, the escort lashed the parents forward, and the children were left to die. One witness, Adam Clover, of Slonory in Cavan, swore that he saw a woman who had been thus deserted, set upon by three Irish women, who stripped her naked in frost and snow. She fell in labour under their hands, and she and her child died.[1] Many were buried alive. Those who died first were never buried, but were left to be devoured by dogs, and rats, and swine. Some were driven into rivers and drowned, some hanged, some mutilated, some ripped with knives. The priests told the people 'that the Protestants were worse than dogs, they were devils and served the devil, and the killing of them was a meritorious act.' One wretch stabbed a woman with a baby in her arms, and left the infant in mockery on its dead mother's breast, bidding it 'Suck, English bastard.' The insurgents swore in their madness they would not leave English man, woman, or child alive in Ireland. They flung babies into boiling pots, or tossed them into the ditches to the pigs. They put out grown men's eyes, turned them adrift to wander, and starved them to death. Two cowboys

[1] Temple.

[2] Robert Maxwell, Archdeacon of Down, afterwards Bishop of Kilmore, deposed that, by Sir Phelim's order, they murdered his brother James Maxwell. His wife, Grizzel Maxwell, being in labour, they stripped her naked, and drew her an arrow flight to the Blackwater and drowned her. They cut a collop

boasted of having murdered thirty women and children, and a lad was heard swearing that his arm was so tired with killing, that he could scarce lift his hand above his head.

The towns could not hold the numbers which flocked into them, and the plague came to add to the general horrors. In Coleraine, in four months, six thousand were said to have died of the pestilence alone.[1] The scenes in Dublin were still more frightful. Sir John Temple was so affected by the terrible spectacle passing under his own eyes, that his language in describing it rises into a tone of profound and tragic solemnity.

'Multitudes of English daily came up in troops, stripped and miserably despoiled; persons of good rank and quality, covered over with old rags, and even without any covering but a little twisted straw to hide their nakedness. Wives came lamenting the murder of their husbands, mothers of their children barbarously destroyed before their faces. Some, overwearied with long travel and so surbated,[2] came creeping on their knees; others, frozen with cold, ready to die in the streets. The city was thus filled with most lamentable spectacles of sorrow, which in great numbers wandered up and down in all parts, desolate, forsaken, having no place to lay

out of each buttock of Mr. Watson, and afterwards roasted him alive. They threw Mr. Starkey and his two daughters into a turf pit. They cut the flesh off living English cattle to make them die in torment. Maxwell knew a boy that killed fifteen men with a skene, they being disarmed, and most of them in the stocks. . . . A woman killed seven men and women in a morning, and the Popish children used to kill the Protestant children with lath swords well sharpened, &c. &c.—*Hibernia Anglicana*, Appendix, p. 10.

[1] Reid. But in all these cases numbers must be received with caution.

[2] The feet too bruised for walking.

BOOK I. 1641

their heads on, no clothing to cover them, no food to fill their hungry bellies. The Popish inhabitants refused to minister the least comfort to them, so as those sad creatures appeared like ghosts in every street. Barns, stables, and outhouses were filled with them, yet many lay in the open streets, and there miserably perished. The churches were the common receptacles of the meaner sort of them, who stood there in most doleful posture, as objects of charity, in so great multitude as there was scarce passage with them. Those of better quality, who could not pass themselves to be common beggars, crept into private places; and some that had not private friends wasted silently away and died without noise. So bitter was the remembrance of their former condition, and so insupportable the burden of their present calamity to many of them as they refused to be comforted. I have known some that lay almost naked, and having clothes sent, laid them by, refusing to put them on; others that would not stir to fetch themselves food, though they knew where it stood ready for them, but they continued to lie nastily in their own rags, and even in their own dung; and so, worn out with the misery of the journey and cruel usage, having their spirits bent, their bodies wasted, and their senses failing, lay here pitifully languishing; and soon after they had recovered this town, very many of them died, leaving their bodies as monuments of the most inhuman cruelties used towards them.'[1]

The circumstantial minuteness of the picture is itself a guarantee of its fidelity. Far the larger portion of these miserable people died. The Dublin

[1] Temple, pp. 93, 94.

churchyards could not hold the multitudes that were crowding into them, and two large fields were enclosed as cemeteries before the forlorn wretches could find rest even for their bones.

Of the numbers that perished it is rash to offer so much as a conjecture. In the midst of excitement so terrible, extreme exaggeration was inevitable, and the accounts were more than usually hard to check, because the Catholics in their first triumph were as eager to make the most of their success as the Protestants to magnify their calamity. In the first horror it was said, that 200,000 persons had perished in six months. For these enormous figures the Catholic priests were responsible. They returned the numbers of the killed in their several parishes up to March 1642, as 154,000.[1] To these may have been conjecturally added the crowds who died of exposure, want, or the plague, in Dublin and the other towns. Sir John Temple considered that 150,000 perished in two months, or 300,000 in two years. At the trial of Lord Maguyre, the figures were sworn at 152,000. Such guesses, for they could have been little more, prove only that in the presence of occurrences exceptionally horrible the balance of reason was overturned. Clarendon, on cooler reflection, reduced the number to 40,000. Sir William Petty, followed by Carte, to 37,000. Even these figures will seem too large when it is remembered how appalling is the impression created by the slaughter in

[1] 'They murdered, up to the end of March last, of men, women, and children, 154,000, as is acknowledged by the priests appointed to collect the numbers.'—'The Lords Justices and Council to the King, March 16, 1643.' *Hibernia Anglicana*, Appendix, p. 4. The same number is mentioned by the Bishop of Kilmore as accepted in Sir Phelim's camp.—*Ibid.* p. 10.

BOOK I. 1641

cold blood of innocent unresisting people, how little rage and terror can be depended on for cool observation, and how inevitably the murdered were confounded afterwards with the enormous multitudes which indisputably perished in the civil war which followed. The evidence proves no more than that atrocities had been committed on a scale too vast to be exactly comprehended, while the judgment was still further confounded by the fiendish malignity of the details.[1]

The confused and furious struggle that ensued would require a separate history.[2] The purpose of

[1] A moderate and possible estimate of the number of those who were killed in the first two months of the rebellion is contained in '*A True and Credible Relation of the Massacre of the English Protestants in Ireland;* by a gentleman who was eyewitness of most of the passages which he describes; who was forced, with his wife, to abandon house, estate, and country, for fear of the rebels, and arrived in London January 15, 1642.' Printed: London, 1642.

This writer says:—

'They have murdered and starved to death of the English in the Province of Ulster and other provinces, of men, women, and children, above 20,000. They have stripped ladies and gentlewomen, virgins and babes, old and young, naked as ever they were born, turning them into the open fields. Many hundreds have been found dead in ditches with cold and want of food and rayment. As for the Protestant ministers, they hang them up, then cut off their heads, afterwards quarter them, and then dismember them, stopping their mouths therewith. Many of their wives they have ravished in their sight before the multitude, stripping them naked to the view of their wicked companions, taunting and mocking them with reproachful words, sending them away in such shameless manner, that most of them have died for grief.

'The priests and Jesuits commonly anoint the rebels with their sacrament of the unction before they go to murder and rob, assuring them for their meritorous service, if they chance to be killed, they shall escape purgatory and go to heaven immediately. . . . Five hundred English at Belturbet were stripped naked and turned out in the bitter cold, without a single rag to cover them. . . . They report and allege that religion is the cause of this war; but that is false, *for they have had too much liberty and freedom of conscience in Ireland, and that hath made them rebel.*'

[2] In the spring of 1642 the King himself spoke of going over, uneasy perhaps at the terrible results of his correspondence with Antrim and Ormond. The Long Parliament declined to trust him. Sir John Temple, on April 25, when the King's

the present work demands no more than the briefest sketch of the leading incidents. It is almost enough to say, that the blood spilt in the winter of 1641–2 was not washed out till, according to the elaborate computation of Sir William Petty,[1] out of an entire population of a million and a half, more than half a million had, by sword, famine, and pestilence, been miserably destroyed.

The conspiracy had spread over the island, and the southern provinces soon followed suit with Ulster. There was no second surprise, and scanty as they were in number, the Protestants were not long in making the insurgents feel that their game was not yet won. Wicklow and Wexford broke out in November. The expelled colonists in Dublin, burning for revenge, were drilled and armed; Sir Charles Coote, of Castle Coote, a veteran from the siege of Kingsale, led a few hundreds of them into the Wicklow mountains, and made free use there of shot and halter. But want of means pinioned the Lord Jus-

coming was still talked of, wrote to some one, it is uncertain who :—

'If his majesty hold his resolution to come over to this kingdom to suppress the rebellion, and the Parliament consent to it, I hope he will come so well furnished with men and money as we shall go on gloriously to finish the work. I must not impart to you my own private thoughts at this distance; yet let me tell you that I cannot but with much regret consider how fatal this kingdom has been to all the kings of England that have set their foot within the isle. I wish that and many other particulars of far higher consequence may be seriously laid to heart before his majesty fix upon this journey. . . . If our forces were come I am persuaded we should have a sudden end of the war. The destruction of the rebels now certainly draws near. They are of the devil, and, like him, rage most furiously towards their latter end. They now exceed themselves in the barbarous cruelty they exercise upon the English. The Lord, I hope, will be pleased to put an end to them.'—*MSS. Ireland,* Record Office.

Temple thought the rebellion was near its end in April, 1642; it had still ten years to continue.

[1] *Political Arithmetic of Ireland.*

BOOK I. 1642

tices to Dublin and the immediate neighbourhood. The Lords of the Pale made Coote's severities an excuse for pretending to believe that there was to be a massacre of the Catholics. They too joined the insurrection; and the whole country was in flame from Dunluce to Cape Clear.[1]

In England the effect was terrible. The bitterest invectives of the Puritans against the scarlet woman and her maintainers seemed justified by their new St. Bartholomew. Shocked at the catastrophe which he had assisted in forwarding, and to clear himself of all suspicion of complicity, the King made over to the Long Parliament the entire management of Ireland. A few companies of soldiers were sent over at once. To raise a more sufficient force, two million acres and a half of the rebels' lands were declared forfeited, with Charles's consent, and were offered at easy rates to adventurers who were willing to advance money on the security of these estates. The bonds were taken up; an army was raised and sent to Bristol under Lord Wharton, to be transported to Dublin. Unhappily the war broke out in England before they could sail. The troops were detained for home service, and seven years passed before the Long Parliament was again in a position to pay effective attention to Ireland.

[1] 'This county, the least disloyal in Ireland, is in general revolt; the English most miserable, fallen from plenty on a sudden to so much poverty that they own nothing. Every Irishman now declares himself a rebel, and only Kingsale, Cork, and Youghal, kept in awe by the castles, stand out for the King. There was a meeting on Tuesday last of the chief men of these parts, most of which pretended to be good subjects. They have all taken oaths to extirpate the English. There is very little quarter given of either side, and nothing to be expected but destruction.'—'Sir H. Stradling to Sir John Pennington, from Kingsale, March 6.' *MSS.* Record Office.

CHAP. II.

1642

Lord Ormond meanwhile commanded there for the King; and Ormond's own endeavour was not to punish the massacre, but to veil it, make peace with the Irish, and to renew the scheme which Sir Phelim's haste had marred.

Infinite and intricate negociations followed. The English Parliament being occupied with fighting the King, the Scots sent a force (England providing the money) under General Monro, which gradually drove the rebels out of Ulster. Monro, declining to take orders from Ormond, contented himself with holding the ground which he had gained. The Catholics, meanwhile, established a council at Kilkenny, and undertook in form the government of Ireland, and, with the Pope's blessing on their gallant efforts, 'to extirpate and root out from among them the workers of iniquity.'[1]

To this Kilkenny Council Ormond's efforts were now addressed. Could Ormond but come to an understanding with them, out of their united forces he might lead an army to England, which might dictate terms to the Parliament. Religion was of course the difficulty. The Irish Council demanded the restoration of the Catholic Church to its pre-reformation splendour and privileges. The King, though ready to promise unlimited toleration, could go no further, without alienating hopelessly such friends as remained to him in England.

The Irish Catholic Peers understood and allowed for the difficulty, and were ready to meet Ormond half way. The Clergy, standing on Providence and Divine right, would abate no tittle of their pretensions;

[1] *Hibernia Anglicana*, Appendix, p. 15.

BOOK I. 1644

and the Pope, to sustain their resolution, sent them a Legate, John Baptiste Rinuccini, Prince Archbishop of Firmo, with arms, powder, Spanish dollars, and a supply of Italian priests. The Legate and his chaplains ran a near chance of swinging at an English yard arm. Captain Plunket, in a ship belonging to the Parliament, chased him up the Kenmare river, and would have caught him but for the breaking out of an accidental fire. He landed safe, and was received with becoming honour at Kilkenny. But the differences remained which had shown themselves at the meeting at the Westmeath abbey. The Lords and Gentlemen who, though Catholic, were of English blood or breeding, were for peace with the King, and the Legate would have no peace till the Church had her own again, threatening, if the Council were obstinate, to take the bishops to Italy with him and leave the kingdom unshepherded. The King's double dealing came to the Legate's help. More eager than ever, as the war went against him, for a peace which would bring him the swords of the Irish Catholics, he had empowered Ormond to treat on conditions which he could acknowledge to the world; and at the same time he had sent the Earl of Glamorgan with other conditions, pledging himself, if only the secret were kept till the war was over, to grant all that the clergy demanded. He had gone so far as himself to write to the Legate, promising to confirm whatever Glamorgan and he might agree on, and thus fortified the Archbishop of course insisted on the most complete concessions.

The secret was betrayed. The Glamorgan articles were published, and Charles was forced to deny their authenticity. The question became thus hopelessly

entangled. Two Catholic parties were formed, following the lines of division which had existed from the first. The native Irish went with the Legate and the priests, and had their own army, under Owen Roe O'Neill, who came over as he promised. The Council of Kilkenny had another army, composed of the Pale Lords and their retainers, still at issue with the Legate, but staggering under threats of excommunication. Ormond maintained himself with difficulty in Dublin, supported by the Church of England loyalists. Ulster was garrisoned by Monro and the Scots. To these four parties and their various forces, whom the miserable country was compelled to support, a fifth was now to be added.

The war in England being ended by the surrender of the King, Ormond found his own position no longer tenable. The Pale Lords were too weak for the Legate and the Irish, and concluding honourably that it was better that Ireland should be governed by the Parliament than fall into the hands of the faction on which lay the guilt of the murders of 1641, Ormond surrendered Dublin to the Parliament, and left the kingdom. Colonel Michael Jones, one of the most distinguished officers in the Parliament's service, came over with strong reinforcements in the spring of 1647, reorganized the remnants of troops which Ormond left behind him, and, after trying his strength with General Preston and the Kilkenny army in two slight skirmishes, caught Preston at advantage at Dungan Hill, hunted his whole army into a bog, and cut it to pieces. The defeat cleared the confusion. The Kilkenny Council broke finally with the native Irish. The Legate withdrew to Owen Roe, preaching damnation to the traitors

BOOK I. 1649

who were deserting the cause of Christ; and soon after he shook the dust from his feet and returned to Italy. Ormond came back at the invitation of the Council; leaving Owen Roe to his own devices, the Catholic Lords made a final peace with the King, and with Ormond as his representative, and prepared to act against the common enemy.

Events in England appeared to favour their prospects. The ascendancy of Cromwell and the army created the same agitation among the Ulster Presbyterians as it had caused in England and Scotland. They failed to see that Cromwell, and Cromwell only, could give effect to what was true in Presbyterianism; —that they were fighting for the husk, while the substance was with the Independents and the Lord General; and, on the news of the King's execution, half Monro's soldiers declared openly for Charles the Second. Prince Rupert landed at Kingsale, and the broken remains of the Cavaliers came over in thousands to assist in saving Ireland. The peace had come too late to save Charles; but it seemed for a moment as if a coalition of enemies might revenge his death, and that Catholic, Royalist, and Presbyterian, united in common loyalty to the name of a king, would, in Ireland at least, carry all before it. Ormond, with Lord Taafe and the Earl of Castlehaven,[1] led eighteen thousand men into the Pale, seized Drogheda and Dundalk, and proceeded to besiege Jones in Dublin. Ormond was in haste, for he knew that he had no time. Cromwell, when his work in England was over, had accepted the Irish command, and was preparing to put a close at last on these scenes of disgrace and shame.

[1] 1649.

CHAP. II.

1649

Owen Roe and his Irish still held aloof. With the Kilkenny Lords his quarrel was irreconcilable; and, forming a clearer estimate than others of Cromwell's strength, he endeavoured to make a separate peace for himself. It was a crisis in which English statesmen cared more for principle than policy. At other times, before and since, such a chance of dividing Irish interests would have been snatched at. But the stern answer came back from the Parliament, 'that the innocent blood which had been shed in Ireland was too fresh in their memory, and that House did detest and abhor the thought of closing with any party of Popish rebels.' To an ear which could still hear, these words were as the doom of the judgement day. Owen Roe perhaps felt it so, for he soon after died, and was spared the sight of the vengeance now coming for the atrocities of his kinsman, which none had condemned more bitterly than he. Ormond received before Dublin the same lesson in another form, though he was less quick in perceiving its meaning. A few regiments of the approaching English army having arrived before the rest, Colonel Jones, thus strengthened, sallied out on Ormond's camp at Rathmines,[1] defeated him, took his artillery with two thousand prisoners, and utterly routed him. The siege was raised in haste. A fortnight later Cromwell had landed.

[1] August 2, 1649.

SECTION V.

BOOK I. 1649

JUSTICE to Ireland—justice in all times and places—means protection and encouragement to the industrious, the honest, and the worthy; repression and punishment of the idle and the mutinous, who prefer to live at their own wills on the spoil of other men's labours.

The 'earth-tillers' of Ireland had, from immemorial time, been the drudges and the victims of those of their own race who, thinking it scorn to work, had been supported by others' toil—who, calling themselves rulers, were in no point morally superior to their own wolves, and had nevertheless usurped to themselves the name of the Irish nation, claimed before the world to be the representatives of their countrymen, and, while clamouring over their wrongs, had meant only at bottom that they were deprived of their own power to oppress.

It is in human nature, and beyond others in the Irish form of human nature, that men should obey and honour their born superiors, however worthless those superiors may be. Yet there is in the Irishman's nature also a special appreciation of just dealing; and though the Celtic peasant is said to prefer the tyranny of his own chiefs to the orderly rule of the stranger, the experiment which of these two feelings is the stronger has as yet scarcely had fair trial. Justice, in the true sense, has been the last expedient to which England has had recourse in her efforts to harmonize her relations

with her wayward dependency. She has taken those who have made the loudest noise at their own estimation. She has regarded the patriot orator, the rebel, and the assassin as the representatives of Ireland. She has thought alternately, and with equal unsuccess, how she can coerce or conciliate those who give her trouble. How to encourage industry and honest labour, how to prevent oppression and save the working peasant from being pillaged by violence or unjust law, she has rarely troubled herself to consider.

For the first and last time a government was about to be established in Ireland which, for the ten years that it endured, was to administer the country in the sole interests of honest labour—where the toiler was to reap the fruit of his toil, the idle and the vicious to reap the fruit of their devices. The perverseness of tradition has made these years a byeword of tyranny. They form the blackest page in Irish annals. The victims of the Cromwellian settlement have had the making of the history, and English carelessness and prejudice have given them possession of the field. But the last word is not yet spoken, and the Irish poor will learn one day who have been their true friends —they have not been troubled with very many.

Before government could begin, however, Ireland had first to be conquered; and had Irish patriotism been more than a name, the conquest would have been impossible. The Confederate Catholics had represented themselves in one of their first programmes as able, if united, to bring 200,000 men into the field. Their factions were at last over. Owen Roe's followers, seeing no escape open to them, made up their quarrel with the Kilkenny lords. All the force

BOOK I. 1649

which Catholic and Anglo-Catholic Ireland could provide was at Ormond's disposition; and the Rathmines defeat had drawn closer the discordant parties. The Ulster Scots had been driven into frenzy by the execution of Charles the First. The English soldiers in Ormond's army were some of the very best and most determined that the Royalist party could furnish. The Parliament held not an inch of land beyond Dublin and Londonderry walls, and an invading force would have to carry its supplies with it through every mile of its advance. With these prospects, Oliver Cromwell landed on Dublin quay on 15th August, 1649. The force which he brought with him was small—nine thousand infantry and four thousand horse. They were not soldiers merely: they had entered the service on the understanding, that their wages were to be Irish lands. They were to take the place of those among the native proprietors who by rebellion had forfeited their holdings. A vast military Protestant settlement, extended over the whole fertile parts of the island, was to terminate the Irish difficulty at once and for ever. After stepping on shore, the Lord General made a speech to the remnant of the ruined colonists. As God, he said, had brought him thither in safety, he doubted not by Divine Providence to restore them to their just liberties and properties. To all who were zealous for the establishing of truth and peace, to all who would assist in restoring the bleeding Ireland to its former tranquillity, he promised favour and protection from the Parliament. General Jones's troops had fallen already into Irish habits. Wages, as usual, had been irregularly paid, and the soldiers, according to immemorial custom, had paid them-

selves by taking what they wanted. Cromwell's first act was to publish, as a standing army order, that no violence should be done to any persons not in arms with the enemy; that soldiers taking goods without payment should be punished according to the articles of war; and that officers who allowed the rule to be disobeyed should forfeit their commissions.[1] CHAP. II. 1649

A fortnight sufficed for preparation. Ormond's army lay in strong positions in and about Trim. Several of the best regiments, almost wholly English, had been thrown into Drogheda under Sir Arthur Ashton, late governor of Reading. The safe keeping of an open port was of great consequence. The best skill in the Royalist service had been employed to make the defences impregnable; and Sir Arthur assured Ormond that he need be under no uneasiness. Though Drogheda would naturally be Cromwell's first object, Ashton undertook to hold it against any force which could be brought against him till the winter rains compelled the raising of the siege; and he was a man who might be relied on to make good his words. On 3rd September Cromwell appeared under the walls. He waited a week, expecting that Ormond would attempt a diversion, and give him an opportunity of forcing an action in the field. Ormond, trusting to Ashton's promise, did not move. The English guns were placed in position. On Monday, 9th September, they opened fire, and a summons was sent in to the governor to deliver over the town to the Parliament. No answer was returned; the guns having

Sept. 3.

Sept. 9.

[1] *Letters and Speeches of Oliver Cromwell*, Carlyle, vol. ii. p. 161.

BOOK I. 1649 Sept. 10.

broken a way, on Tuesday, at five in the afternoon, the Parliament troops advanced to the assault. The garrison fought with extreme courage. Twice after forcing their way into the town the storming parties were beaten back through the breach. The third time, as the light was waning, Cromwell led them up in person, forced Ashton upon his inner lines, stormed those lines in turn, and before night fell was master of Drogheda. The summons to surrender having been refused, the order was to put every man found in arms to the sword. It was almost literally obeyed. A few score held out till the morning in two detached towers, and then surrendered at discretion. Every tenth man was shot; the remainder were sent to the penal settlement at Barbadoes.[1]

[1] The Irish histories say that there was an indiscriminate massacre of men, women, and children. Cromwell's own account mentions only men in arms and priests who, as having been the instigators of the worst crimes, were held less innocent than those who had committed them. It is possible that, in such a scene, women and children may have been accidentally killed; but there is no evidence of it from an eyewitness, and only general rumours and reports at second hand. Of authentic evidence, in addition to Cromwell's own letters, two documents, one of them from a Royalist, disprove conclusively the story of a general massacre.

A printed official list of officers and soldiers slain at the storming of Drogheda, supplied to the Parliament, brings the number to nearly 3,000, besides *many inhabitants.*

The citizens in these instances fought by the side of the troops, and shared their fate.

A letter from an eyewitness to the Marquis of Newcastle says:—'Ashton doubted not of finding Cromwell play a while, as certainly he had done had not Colonel Wales' regiment, after the enemy had been twice repulsed, on the unfortunate loss of their colonel in the third assault, been so dismayed as to listen before they had need to the enemy offering them quarter, and admitted them on those terms, thereby betraying themselves and their fellow-countrymen to the slaughter; for Cromwell, being master of the town, and told by Jones that he had now in his hands the flower of the Irish army, gave orders *to have all that were in arms* put to the sword. There were butchered near 3,000 soldiers, and those reputed the best the kingdom afforded, in whose fate there is sadly observable how great a number of them were guilty of the breach of the unlucky agreement made two years before, between Lord Clanrickarde and the Leinster

CHAP. II.

1649

'I am persuaded,' wrote Cromwell, 'that this is a righteous judgement of God upon these barbarous wretches, who have imbrued their hands in so much innocent blood, and that it will tend to prevent the effusion of blood for the future, which are the satisfactory grounds to such actions, which otherwise could not but work remorse and regret.'[1]

History, ever eloquent in favour of the losing cause —history, which has permitted the massacre of 1641 to be forgotten, or palliated, or denied—has held up the storming of Drogheda to eternal execration. The English, ever ready, when confronted with similar problems in India or elsewhere, to use the same remedy on lighter provocation, yet make a compromise with their consciences, and, when the severity is over, and the fruits of it in peace and order are gathered and enjoyed, agree usually or always to exclaim against the needless cruelty. The Irish insurrection had cost nearly six hundred thousand lives. Those who had suffered most had been those for whom pity was most deserved—the weak, the sick, and the helpless. It was necessary to end such horrible scenes, and to end them swiftly; for every hour's delay only prolonged the misery. The Drogheda garrison suffered no more than the letter of the laws

army, at Sir Nicholas Whyte's castle of Leixleap, several of those that survived having perished since, and few or none escaped some remarkable affliction. The massacre of Drogheda lopped off a principal limb of my lord's army.

For the treachery at Leixleap, see Borlase's *History of the Irish Rebellion*, p. 171.

Beling, mentioning the storming of Drogheda, says that the whole number of soldiers and citizens slain amounted to about 4,000. The soldiers and officers killed were about 3,000; so that, if Beling's account is accurate, and it will certainly not be understated, the so-called wholesale massacre is reduced within narrow dimensions.

[1] *Letters and Speeches of Oliver Cromwell*, vol. ii. p. 177.

BOOK I. 1649

of war permitted; and the wisdom of making a severe example was signally justified in its consequences. Happier far would it have been for Ireland if, forty years later, there had been a second Cromwell before Limerick.

Ormond's army fell back as if stunned. Dundalk and Trim, taught by frightful experience, surrendered at the first summons. Wexford was the most important position held by the Irish on the eastern coast after Drogheda. Wexford pirates harassed the communication with England. The Catholic inhabitants had lately distinguished themselves by special acts of cruelty and ferocity. They had filled a hulk with Protestant prisoners, and had sunk it in the harbour there. They had imprisoned others in a Catholic chapel and starved them to death.[1]

To Wexford Cromwell next addressed himself. On the way he had occasion to show that his orders against pillage were meant in earnest. Two soldiers stole a fowl from a peasant's cabin, and were at once hanged. Arrived before the gates he sent a summons as before, with a promise that if the place was given up at once the lives of everyone should be spared. Not silent, like Ashton, but scarcely less imprudent, the governor demanded security for lands and goods, the maintenance in authority of the Catholic bishop, protection for the religious houses, and generally all privileges which Catholics could desire. Cromwell's stern reply was an order to surrender in an hour. The hour passed; the gates were not opened, The town was stormed, and the garrison once more was put to the sword.[2]

[1] *Letters and Speeches*, vol. ii. p. 197.

[2] One or more of the priests was killed in the chapel in which the

'I could wish, for their own good,' said Cromwell, 'they had been more moderate in the terms which they demanded.' CHAP. II. 1649

These two terrible blows virtually ended the war. Man for man, in a good cause, and under discipline and command, the Irish were a match for any soldiers in the world. Powerless only at home, disabled by the consciousness of wrong-doing, like law-breakers taken by the policeman, they were first bewildered, then, as they collected their senses, they recognized that they had to do with a person whom they neither dared encounter in the field, nor could deceive or trifle with in the game of words. Rebellion was played out, and they had to choose between submission and death. General Taafe[1] attempted, before surrendering Ross, to stipulate for liberty of conscience. 'I meddle with no man's conscience,' Cromwell answered; 'but if by liberty of conscience you mean liberty to exercise the mass, I judge it best to use plain dealing, and let you know that, where the Parliament of England has power, that will not be allowed.'[2] General Taafe had to accept the sentence, and go his way. The mass, as a superstitious form of religious ritual, it might be lawful, and even right to tolerate. The mass, as the symbol of a Church whose supreme pontiff[3] had applauded the insurrection of 1641, as his predecessor had applauded the massacre of St. Bartholomew, it was not legitimate only, but necessary, to interdict, till the adherents of it retired from a position which was intolerable in civilized society.

Protestants had been murdered.—*Letters and Speeches*, vol. ii. p. 197.

[1] Lucas, Lord Taafe's second son. His brother, a priest, had been killed at Drogheda.

[2] *Letters and Speeches*, vol. ii. p. 203.

[3] *Hibernia Anglicana*, App. p. 15.

BOOK I. 1650

The English of Munster, who had hitherto held with Ormond, seeing now how events were turning, with one consent went over to the conqueror. Sir Charles Coote, in December, reduced the northern Presbyterians. The Catholic bishops, in assumed horror of rebellion, continued to shriek against 'the malignant murder of King Charles.' Emer MacMahon, Bishop of Clogher, joint conspirator with Sir Phelim O'Neill, made head in Coleraine. Coote set upon him, defeated and took him prisoner, and the next day hung him, and set his head on the gates of Londonderry. Cromwell himself, after breaking the neck of the coalition, went back to England; but others were easily able to finish the meal which Cromwell had carved. Ormond, now desperate, a second time left Ireland. Prince Rupert had gone long before. Clanrickarde still struggled feebly; but those who were loudest for fighting to the last were manœuvring secretly to make private terms for themselves. 'The Irish,' said Castlehaven, 'are so false that nobody is to be trusted; either the husband or the wife are treating with the enemy, and in their camp.' The Duke of Lorraine was appealed to passionately for help in the name of the young King. The Duke answered coolly, 'that his majesty had nothing in Ireland to treat for.' In the spring of 1652, Galway, the last stronghold which the Irish held, capitulated to Coote. Ross Castle, on Killarney, continued defiant, and was thought impregnable; but Ludlow carried a vessel over the mountains in pieces, launched and armed it, and Ross gave in. Lord Muskerry and Lord Westmeath, who were in the mountains, laid down their arms, and all was over.

The remnant of the Ulster murderers who had

survived the wars, remained to be brought to late justice. A High Court of Justice, under General Fleetwood, was held at Kilkenny, in the hall of the assembly, to try them. Sir Phelim O'Neill and two hundred others were convicted and executed. All the rest had been consumed in a war, the waste of life in which, compared with the population of the country exposed to its ravages, stands unparalleled in the annals of mankind.

CHAP. II. 1652

SECTION VI.

BOOK I. 1652–60

IRELAND was now a blank sheet of paper, on which the English Commonwealth might write what characters they pleased. Owing to the double character which the rebellion had assumed, there was scarcely a Catholic landowner who had not, in one form or other, exposed his property to confiscation. The royalist English families who had gone with Ormond were in no better condition; and it was neither reasonable nor tolerable that the cost of restoring peace should be thrown on the taxpayers of England. The common sense of all nations declares, that those who risk the game of insurrection shall pay the penalty of failure, and the enormous misery created by civil war renders the punishment of it imperative on the conquerors. The generosity of motive, or the mistaken sense of duty, which may prompt men to take arms against their government, exempts them from the personal detestation which is the due of baser criminals; but the character of those misleading influences makes severity more necessary, as a counterweight to imaginative seductions. No government deserves to exist which permits those who have defied its authority to suffer no worse consequences than disappointment, and to remain with unimpaired means to renew the struggle at another opportunity.

The character of landed tenures—it cannot be too often repeated—renders forfeiture the appropriate retribution. Private ownership in land is permitted because Government cannot be omnipresent, and per-

sonal interest is found, on the whole, an adequate security that land so held shall be administered to the general advantage. But seeing that men are born into the world without their own wills, and, being in the world, they must live upon the earth's surface, or they cannot live at all, no individual, or set of individuals, can hold over land that personal and irresponsible right which is allowed them in things of less universal necessity. They may obtain estates by purchase. They may receive them as rewards of service, or inherit them from their ancestors. But the possession, however acquired, carries with it honourable and inseparable consequences in the respect, the deference, or even positive obedience which the possessor receives from the dependants by whose hands those estates are cultivated, and with the privilege is involved the responsibility. To some extent at present—to a far greater extent two centuries ago—the owner of the soil was the master of the fortunes and the guide of the allegiance of his tenants. He was an officer of the commonwealth—the natural governor of tens, hundreds, or thousands of human beings committed to his charge. If he was false to his trust, the sovereign power resumed its rights, which it had never parted with; and either sold or gave his interest, and his authority along with it, to others who would better discharge the duties expected of them.

Times are changing, and such theories may be passing out of date. At best they could never be acted upon more than approximately. In violent convulsions however, when existing organizations are torn in pieces, principles form the only guide. The Irish proprietors had become intolerable. They were dismissed, and their room was supplied by better men.

BOOK I. 1652–60

It will be remembered that, in 1642, the English Parliament, in consequence of the dimensions which the rebellion had then assumed, confiscated between two and three million acres of Irish soil. Debenture bonds were issued payable in land when the country should be reconquered. Bonds for a million acres had been taken up, and money had been raised on them, for the troops sent to Ireland previous to Cromwell's arrival. Similar debentures were issued afterwards for Cromwell's own army, not thrown upon the market like the first, but given to the soldiers in lieu of their pay, and the time was come when all these engagements were to be redeemed. The intention was, that the men who conquered Ireland should remain to hold it. The country was to be occupied, in old Roman fashion, by military colonies.

The scheme, though admirable in conception, could only be executed imperfectly. Many of the soldiers, in want of money, had sold their bonds. Keen-eyed capitalists, like Dr. Petty, hung about the army, and the sale of debentures became a trade. The officers bought from the men, the men bought from one another. The thrifty and prudent kept their claims, the improvident and careless were weeded out. Vast numbers, however, remained. Adventurers came from England to take the place of those who were unwilling to stay. There was a fair prospect that Munster and Leinster might be settled and occupied as completely as the six counties had been. The whole country was carefully surveyed; and a court was established to examine the claims, and assign every bondholder his share.

The principles of the Cromwellian settlement were generally these. The surviving population was esti-

mated by Dr. Petty at about 850,000, of whom 150,000 were English and Scots. Experience had shown too repeatedly that when the English and Irish were intermixed, the distinctive English character in a few generations was lost. To prevent a recurrence of a transformation so subtle and so dangerous, Cromwell determined to make Connaught into a second Wales. The Western province had a natural boundary in the Shannon. Beyond this deep and effectual barrier, the families of the chiefs, the leading members of the Irish race—the middle and upper classes, as we should call them, from whose ranks the worst elements of disorder arose—might receive an equivalent for the lands of which they were deprived. There living among themselves they might die out or multiply as their lot might be. A line of physical demarcation would then be drawn between the Teutonic and Celtic population. Ulster, Munster, and Leinster would be the exclusive possession of Protestant English and Protestant Scots, reinforced, it might be, by Calvinist fugitives from the Continent. The Irish peasantry might be trusted to remain under their new masters, if the chiefs of their own blood were removed; and with peace, order, and good government, and protected from spoliation, they might be expected to conform, at no distant time, to the habits, language, and religion of their conquerors.

The 'Swordsmen,' those who had been out in the war, were offered the alternative of Connaught or exile. Some chose the first, the larger number chose the second, and went, with the most devoted of their followers, into the French, Spanish, and Austrian services. The Catholic priests were more sharply dealt with. They were declared, in a sweeping

BOOK I. 1652–60

judgement, guilty of high treason, and ordered to depart. A thousand of them hastened away of themselves; but as many or more remained, and it was a question what to do with them. At first, such of them as did not remove of their own accord were put on board vessels bound for Spain. This proving no deterrent, they were sent to the Barbadoes settlement. Finally, when the numbers arrested were too great to be so provided for, they were removed to two islands in the Atlantic, the Isle of Arran and Inis Bofin, where cabins were built for them, and they were allowed sixpence a day for their maintenance.[1]

On these principles Ireland was laid out and resettled by Cromwell's officers. In the apportionment of the claims the soldiers were asked whether their lands should be selected by authority for them, or divided by lot. They answered remarkably, 'that they would rather take a lot upon a barren mountain as from the Lord, than a portion in the most fruitful valley upon their own choice.' Both methods were adopted in the final decision. The regiments were kept together in bodies; the lot determined the situation of individuals. 'They were settled down regiment by regiment, troop by troop, company by company, almost on the lands they had conquered.'[2] The peasants remained under them in their

[1] I cannot pass over this part of my narrative without making my acknowledgments to Mr. Prendergast, to whose personal courtesy I am deeply indebted, and to whose impartiality and candour in his volume on the Cromwellian settlement I can offer no higher praise than by saying, that the perusal of it has left on my mind an impression precisely opposite to that of Mr. Prendergast himself. He writes as an Irish patriot—I as an Englishman; but the difference between us is, not on the facts, but on the opinion, to be formed about them.

[2] Prendergast.

natural homes, as their under-tenants, or farm servants. They built and planted, they drained and ploughed. They went to work with heart and will in the homes which they had earned ; and, by the natural enchantment which gives to order and industry its immediate and admirable reward, the face of Ireland began, once more, to wear a look of quiet and prosperity.

The disorderly elements could not, at once and altogether, be removed. In inaccessible hiding-places —in the bogs and mountains, and still enormous forests—bands of outlaws who had escaped Connaught lurked, under the name of Tories, and continued a war of plunder and assassination.[1] Their extirpation was a tedious process. The leaders were identified, and outlawed by name, and, when they refused to give themselves up, a price was set upon their heads, which their own comrades were willing to earn. 'The Irish bring them in,' said Major Morgan. 'Brothers and cousins cut one another's throats.' It was a hateful method, yet, under the circumstances, an inevitable one. The colonists found themselves shot at in the woods and fields, and their farmsteads burnt over their heads.

[1] 'Accustomed,' says Mr. Prendergast, 'to their own submissive rural classes, who represented the defeated and subdued Saxons, the English expected that the Irish would submit. They little knew the hearts, full of the noblest fire, that beat under the poorest rags in Ireland.'

'Father Plunket,' Mr. Prendergast continues, 'a friar of English race,' was employed to persuade the people into quiet. 'He reported they would rather pull God out of his throne, or throw themselves headlong into the sea, than become loyal to the crown of England.'

Such a state of feeling implies, no doubt, extraordinary ill-success on the part of the English in their task of governing Ireland. But anarchical insubordination is neither a noble quality in itself, nor is it ever successful in obtaining its ends. Hearts really 'full of the noblest fire,' when they cannot resist honourably, understand how to yield manfully. The road to freedom has never been found to lie through murder and incendiarism.

BOOK I. 1652–60

They used the readiest means of ridding themselves of enemies whom they regarded as no better than wild animals—wild animals, or even worse. Yet even these poor wretches scarcely deserve the sarcasm of their modern champion. 'No wonder they betrayed each other,' says Mr. Prendergast, 'when there was no longer any public cause to maintain.'

Such was the Cromwellian settlement of Ireland—unrelentingly severe on the authors of the chronic misery under which the island had so long lain paralysed, infinitely favourable to her future prospects if the wound, at last cauterised, was never allowed to reopen. The owners of the soil had forfeited their rights, and were deprived of them. The religion out of which the worst of their crimes had originated was proscribed. These two things accomplished, Ireland was identified with England, and made a full participator in every advantage which England possessed. The separate Parliament—fruitful mother of so much mischief—was swept away. The Irish representatives came to Westminster, and the two countries were made one under Cromwell's administration. For the first and last time, the sole object of the English Government was to further, to the utmost possible degree, the advancement and prosperity of Irish industry. Even the expatriation to Connaught was conceived and carried out in no ill-will to those who were removed. 'No one,' says Clarendon, 'was exported who had not forfeited his life by rebellion; and it was the only way to save them from utter destruction: for such was their humour, that no English man or woman could stray a mile from their homes, but they were found murdered or stripped by the Irish, who lay in wait for them; so that the soldiers, if they had been allowed to

remain in the country, would have risen upon them and totally destroyed them.'[1] There were plenty of persons, with Scripture arguments to back them, who advocated harsher work. 'The object,' said a Petition of Officers, 'is to prevent those of natural principles[2] from being one with the Irish as well in affinity as idolatry, as many thousands did who came over in Queen Elizabeth's time, many of whom have had a hand in the murders and massacre. The order to the Israelites was to root out the heathen, lest they should cause them to forsake the Lord their God.'

The argument was apposite, and, as the event proved, not ill-grounded. But had Cromwell's mode of government been persisted in—had there been no relapse into the old combination of iniquity and feebleness—events would have justified his resolution. He meant to rule Ireland for Ireland's good, and all testimony agrees that Ireland never prospered as she prospered in the years of the Protectorate. He yielded nothing which he held essential. He allowed no penal statutes to be hung out, like scarecrows, to be a jest and mockery. The execution of the soldiers who stole the fowl was the symbol of the entire administration. He allowed no wrong-doing—no tyrannous oppression of the poor. Ireland's interests were not sacrificed to England's commercial jealousies. A prosperous woollen manufacture had been set on foot by James the First's colonists. The British weaving interest took alarm, and Strafford, to please England and weaken Ireland, destroyed the trade.[3] Cromwell, recognizing no difference between

[1] *Life of Clarendon*, vol. ii. p. 42.

[2] I.e. men without saving grace.

[3] 'The Irish have wool in great quantities, and if they should manu-

BOOK I. 1652–60

the two countries, removed Strafford's obstructions, encouraged manufactures of every description, and gave entire liberty of trade.[1] The vice of Ireland was idleness; therefore, by all means, he stimulated industry. He abolished licence, which the Irish miscalled liberty. He gave them, instead, the true liberty of law and wise direction; and he refused to sacrifice to English selfishness any single real benefit which it was in his power to confer.

Unguentem pungit, pungentem Hibernicus ungit. So said a Hibernian proverb. The worst means of governing the Irish is to give them their own way. In concession they see only fear, and those that fear them they hate and despise. Coercion succeeds better: they respect a master hand, though it be a hard and cruel one. But let authority be just as well as strong, give an Irishman a just master, and he will follow him to the world's end. Cromwell alone, of all Irish governors, understood this central principle of Irish management. He was gone before his administration could bear fruit in the feeling of the people, and history remembers only in him the avenger of the massacre. Yet, three years only after the settlement, General Fleetwood could write that the country was perfectly quiet; English people, if they would come over and buy land, would find

facture it themselves the English would not only lose the profit they made by indraping the Irish wool, and his majesty suffer in his customs, but it was feared the Irish would at last beat them out of the trade itself by underselling them. He considered further that, in reason of state, so long as the Irish did not indrape their own wool, they must of necessity fetch their clothing from England, and consequently in a sort depend on it for their livelihood, and be disabled to cast off that dependence without nakedness to themselves and their children.'—Carte's *Ormond.*

[1] *Arthur Young on Ireland,* vol. ii. p. 178.

Ireland little different from home; considering what the devastation had been, the 'plenty' that had sprung up was 'wonderful.'[1] The English of all sorts, Munster Royalists as well as the new settlers, submitted heartily and loyally. The Presbyterians remained unforgiving,[2] but they were left unmolested, by-and-by to reap as they had sown. The well-disposed among the Irish were reconciled sooner than might have been expected to a rule which gave them the reality of protection. Not a few of the old sort, who had escaped the weeding, were taking advantage of openings that offered themselves, and renting lands from settlers who wished to return to England.[3] Priests and dispossessed proprietors were hiding in disguise among the tribes, making mischief where they were able. But the peasantry seemed proof against seduction. 'The mere husbandmen,' wrote Dr. Jones[4] to Fleetwood, 'being now in very good condition, will hardly be driven into action. What their priests may persuade them to I know not; I am confident the gentry will never be able to move them from their resolution to enjoy their present ease

[1] 'Fleetwood to Thurloe, June 18, 1655.'—*Thurloe Papers.*

[2] 'Our dissenting, but I hope godly, friends in this country carry such a jealousy with the present magistracy and ministry as I am weary of hoping for accommodation: everywhere they are unanimous and fixed in separating from us even to the ordinance of hearing the Word.'—'Nathaniel Brewster to Thurloe, October 12, 1656.'

[3] 'Here is one Marcus O'Decies, who has been a notable trooper and lieutenant of foot in the Irish army. This man hath taken six or seven great townlands from several landlords, but lying together, whereby he hath many patrons to excuse his transportation. Those lands he hath planted all with strangers unknown in these parts. They behave themselves proudly, not like other churls, and under colour of ploughing are able to make up among them a reasonable good troop of horse.'—'Dr. H. Jones to Fleetwood, Dublin, January 23, 1656–7.' *Thurloe Papers.*

[4] Afterwards Bishop of Meath.

BOOK I. 1652–60

and quiet as long as by the State it shall be permitted to them.'[1]

Had the system thus established been continued for a few more years, the industrial advantages of Ireland, the abundance of soil, the cheapness of labour, the boundless quantities of admirable wool, the unrivalled rivers and harbours, could not have failed to have attracted thither energetic men from all countries, who, in turning the national resources to account, would have acquired permanent mastery over the old inhabitants. Romanism, sternly repressed, must have died out, as Protestantism died in Spain and Italy. Industry was everywhere alive, creating wealth and comfort, order and organization. Intelligent and just authority laid an effectual bridle on temptation to rebellion, and the progress made by Ireland in the following century, when the most beneficial of these conditions was unhappily absent, and only the most galling were retained, encourages a belief that, had Cromwell's principles been accepted as the permanent rule of Irish administration, the lines of difference between the two countries, now as marked as ever, and almost as threatening, would have long ago disappeared.

[1] *Thurloe Papers.*

CHAPTER III.

THE REVOLUTION.

SECTION I.

CHAP. III.

1660

THE problem which presented itself on the Restoration of the Stuarts was incapable of equitable solution. The Anglo-Irish leaders of the rebellion of 1641, who, previous to the rising, had undoubtedly received encouragement from Charles the First—who, in the course of the civil war, had given money and sent regiments to England to fight on the royal side, and had received their final defeat from Cromwell himself, expected naturally to be restored to their estates, and to see the Parliamentary adventurers, and the soldiers who had been the instruments of their oppression, flung out from the lands which they had usurped. The perplexed and Protean insurrection had settled itself at last into the form which, as originally designed, it was to have assumed from the first—a defence of the Crown against the Parliament. All parties and both religions had accepted the King's viceroy as their leader. The wreck of the Royal army had crossed from England, and had received their last overthrow in the Irish ranks, and in defending Irish towns. Even the Nuncio himself, the leader of the party most bitterly antagonistic to England, had been recognized by Charles as a friend.

All factions—Ormond's own original Royalists, the

BOOK I. 1660

Lords of the Pale, and the Irish of Owen Roe—had been included in a common confiscation. All guilty alike in the eyes of the Commonwealth, they expected to be regarded in the Restoration as alike deserving reward; or, if not reward, at least replacement in the properties which they had lost in the King's service.

It was no less true, on the other hand, that the rebellion, whatever the differences of opinion among its chiefs, had been at its commencement a revolt of Ireland against England, and as such denounced and disavowed by the King himself. It had been a ferocious effort of the Irish race to shake off English authority, to exterminate the English settlers and the Protestant religion. It had been attended by horrors and atrocities which had burnt themselves indelibly into every Saxon memory; and the Cromwellian conquest had been in fact a resubjugation of Ireland by England, and in the name of England. English authority had been, for the first time, completely established over the whole island, and it was as little likely that England would consent to part with the fruits of a victory so precious and so dearly bought, as that the English settled there would yield up, without a struggle, their just reward for the blood which they had sacrificed. The Cromwellians could only be ejected by arming the native Irish against them; and the bare attempt or mention of such a step would have cost Charles his hardly recovered crown. By all technical forms—by engagements written and spoken—by the indisputable truth that, before their final defeat, they had all been accepted by the King as loyal subjects, and were all in arms in his favour, his honour was pledged to do justice to the Irish Catholic landowners. By the essential facts of the

case, which if he disregarded he must return to exile—by his duty to Ireland itself, which, brief as had been its period of repose, was rising into prosperity such as it had never known before, under the impulse of the vigorous race which had been established there by the late Protector, he was compelled to leave untouched in a large degree the disposition by which the old owners of Ireland had been either driven beyond the Shannon, or converted into landless exiles.

As soon as it became clear that Richard Cromwell would be unable to hold his place, his brother Henry, who was then in command in Ireland, with a loyalty supremely honourable to him, acquiesced without condition or stipulation in the restoration of the Stuarts. He was popular with all parties; he might have made a party among his father's soldiers strong enough to have enabled him to make terms for his own Irish estates. The revolution was too momentous to allow him to remember so small a matter as his personal interests. Smaller men were naturally less high minded. After Henry Cromwell, the two persons most trusted by the Protector were Sir Charles Coote, who had assisted so efficiently in ending the rebellion, and Roger Boyle, Lord Broghill, third son of the great Earl of Cork. Both had acquired enormous estates under the new settlement. Their influence with the army was second only to that of Henry Cromwell, and seeing how the tide was running, and foreseeing the difficulties which would arise, they were among the first, in the army's interests as well as their own, to speak of the Restoration, and to bind the King to them by inviting his return.

BOOK I.

1660

The Court of Charles on the Continent was thronged with exiled Irish patriots. No sooner was the approaching change known, than of course he was beset on all sides by clamours for reparation. He put the petitioners off with promises till he was established in England. In the autumn of 1660 a Commission sate at Westminster, to consider their claims; and counsel were heard on their side.

The first attempt was for a really equitable compromise. Sir James Barry, the Irish Lord Chief Justice, sketched briefly the history of the massacre, some scenes of which he had himself witnessed. He proposed that the Irish claimants should be heard in detail before separate juries, and that those who could prove that they had borne no share, direct or indirect, in murder, should have their claims allowed. Some test of this kind was at last ultimately adopted; not however till on both sides there had been much unreal declamation. Sir Nicholas Plunket, who represented the Irish, spoke with national fervour of their loyalty and their sufferings in the royal cause. Lord Broghill showed in answer, that the King's real friends had been the Protestant army, which had been so forward in promoting the Restoration. To the Irish professions of loyalty he replied, by producing three documents, which, considering how confused a business the war had been, proved practically extremely little: an order from the Kilkenny Council, at one stage of the conflict, to prosecute Ormond with fire and sword; an offer of Ireland, from the same Council, to any Catholic prince who would take the country under his protection; and lastly an acknowledgment, signed by the Irish leaders in the last campaign, of the authority of the Rump

Parliament. To have served under Cromwell was at least as great an offence as to have acknowledged the Parliament; and the charge, as coming from Lord Broghill, partook of an insolence which probably arose from a knowledge that the cause was already privately determined.

The Irish deputies were dismissed, and the King declared his resolution. He admitted the difficulty of the case. The Act of the English Parliament under which money had been raised by debenture bonds on Irish forfeited estates, and on which half the confiscations rested, had been confirmed by Charles the First, and he could not disavow his father's act. It was true that, when English rebels were subsequently meditating regicide, he had himself made peace with his Irish subjects, and had accepted their help to prevent if possible that infamous crime from being consummated. He did not deny that, in so doing, he had entered into obligations which he ought not to forget. Yet to fulfil these obligations under existing circumstances would be against the interests of Ireland herself. The titles of the adventurers and soldiers might not bear perhaps minute examination, but he found himself, he said, rather inclined to mercy than to law. He had made up his mind to leave them undisturbed, or, if disturbed from their present holdings, to allow them an equivalent in land elsewhere. The debentures still unpaid should be acknowledged also. But while justice was thus done on one side, the other should not be left unconsidered. When every bond was settled there would still remain enormous estates unallotted with which to reward the really deserving. Protestant Royalists like Ormond and Lord Inchiquin were to be reinstated at once, and intruders settled on their territories were to

BOOK I. 1660

receive lands in some other place. Innocent Catholics too, whose only fault was their religion, were not to suffer, and should be replaced in their homes; and a list followed of persons said to have merited particular favour—the great Anglo-Irish Catholic nobles, Clanrickarde, Westmeath, Dillon, Gormanstown, Fingal, Mountgarret, Netterville, and many others, who in their hard position, compromised as they had been in many ways, and responsible for terrible bloodshed, had yet desired throughout to confine the insurrection within the lines of opposition to Parliament and the Puritans as distinct from the English Crown.

There remained others—those who had been criminal, but had shown repentance, and had done good service later, either in Ireland or abroad. Of these, such as had accepted lands in Connaught were expected to abide by their bargains. They might consider their case a hard one, but no more could be done for them. Those who had preferred exile might look for favour in time, but must wait and be patient. English families who had sold their interests at home, had transplanted themselves to Ireland, and built and fenced and enclosed there, could not at once be dispossessed and ruined. Great changes could only be accomplished by degrees. The innocent must be provided for first.

Two classes of persons were to receive no favour—those who had been concerned actively in the massacres, or, if they were dead, their heirs and representatives; and, to balance these, the regicides, whom, although it was through them, and only them, that England had any authority left in Ireland to exercise, the conditions of the case made it possible, and even necessary, to exclude.

CHAP. III.

1661

Thus the King hoped all parties would be satisfied. The wicked would be deterred from wickedness by such signal evidence of justice, and the good be encouraged in loyalty by the favour and mercy shown to them.[1]

More than this Charles could not have done; less he could not honourably have tried to do. However miserable in its consequences might be the overthrow of Cromwell's policy, however fatal the redistribution over the country of so many elements of mischief—some measure of the kind was a price necessarily to be paid for the blessing of a restored monarchy.

No less inevitably followed the re-establishment of the Irish Church, the dissolution of the short-lived union, and the restoration of the political constitution.

Coote, created for his services Earl of Mountrath, and Lord Broghill, created Earl of Orrery, presided as Lords Justices at the re-inauguration of the Royal authority. The Parliament met in Dublin on May 8, 1661. In 1641 the Catholics were in a majority. In 1661 so completely had they been crushed, out of 260 members they had but one. But the Protestantism of the assembly made its task only the more difficult. They had to declare themselves happy in the restoration of a sovereign against whom most of them had fought. They had to condemn, as an atrocious usurpation, the power of which they had been the instruments, yet maintain the fortunes which they had won for themselves in the service of that power, to preserve the reality of the conquest, and to fling a veil over it of unmeaning phrases and hollow affectations.

[1] 'The King's Declaration, November 30, 1660.' 14 & 15 Charles II. *Irish Statutes.*

BOOK I.

1661

They acquitted themselves with incomparable skill. The first session was a short one. The Act of Settlement was not yet ready; but, in congratulating the King on his return, the members made haste to show 'that they were none of the seditious rebellious rabble whom it had pleased the Almighty to suppress by the might of his power, but loyal subjects, preserved alive amidst the storms of persecution, who abhorred the rebellion and traitorous murder and parricide of his majesty's father of blessed memory.' In the eagerness of their loyalty they discovered that his majesty's title to the Irish throne 'did not descend from Henry the Second, but from times far more ancient, as by authentic evidence appeared.' They could not conceal 'the unspeakable joy' with which they welcomed the revival of 'the true worship of God' among them, and civil government re-established on the fundamental laws of the land; and, while it was necessary to enact that the proceedings in the courts of law which had passed under the name of the Protector should be held valid, they insisted, notwithstanding, that the Protectorate itself was 'a wicked, traitorous, and abominable usurpation.'[1]

Ormond, raised for his services to a dukedom, restored to his estates, and with expectations of vast additions to them, as a reward for his exertions, came back the next year as viceroy. Parliament again met in April, 1662, and the great question was now ready for solution.

The preamble of the Act of Settlement[2] was a miracle of ingenuity. The Lord Lieutenant was the same person whose defeat by Cromwell had rendered

[1] *Statutes of the Realm, Ireland:* 13 Charles II. caps. 1 and 2.
[2] 14 & 15 Charles II. cap. 2.

possible the confiscation which was now to be legalized. Cromwell was to be disowned with execration; yet his work was to be defended, and the fruit of it secured; while Coote and Broghill and the rest were to be made to appear as if they had acted as subjects of a sovereign against whom they were openly in arms.

After repeating the story of 1641, the murder of many thousand English subjects, the universal rebellion which ensued, and the establishment of an Irish government at Kilkenny independent of England, the act went on to say, 'that Almighty God had given his majesty, by and through his English Protestant subjects, absolute victory and conquest over the Irish Popish rebels and enemies, so as they, their lives, liberties, and estates, were at his majesty's disposition by the laws of the kingdom.' 'Compelled by necessity,' and 'to prevent the further desolation of the country,' 'certain of his subjects,' 'during his majesty's absence beyond the sea,' had enquired into the origin of the rebellion, had dispossessed the authors of it of their lands, and had sold or otherwise disposed of them to persons who, by money or immediate services, had contributed to the conquest; and these persons were the same who, having secured the power in their hands, had invited his majesty to come home, and had yielded Ireland to his obedience. His majesty, after due consideration, had made known his pleasure; and the Parliament, having weighed the character of the insurrection, and the obvious intention of the promoters of it to eradicate the British inhabitants and the Protestant religion, having considered the blood and treasure which had been expended, and the unspeakable sufferings which had

BOOK I. 1662

been undergone to reduce the kingdom to the obedience of the crown of England, declared themselves heartily gratified with the King's resolution. 'The rapines and massacres committed by the Irish and Popish rebels were not only well known to the present Parliament, but were notorious to the world.' 'The artifices which had been used for many years to murder witnesses, suppress evidence, and vitiate and embezzle such records and testimonies as, made against particular persons,' had failed nevertheless to suppress the truth; and the rebels, having thrown off their allegiance to the English crown, 'had become subdued and conquered enemies, and had justly forfeited their titles and estates.' The Parliament, therefore, concluded that all confiscations legitimately growing out of the insurrection ought to be held good. The lands of those who could prove that they had borne no part in it should be restored, and the adventurers or soldiers in possession of them should be compensated in some other district.

A Court of Claims was established to examine each case in detail, and the innocent were allowed to hope that they should have speedy satisfaction.[1] The working of an act so vaguely worded depended wholly on the temper of the juries before whom the cases came. Innocence was a wide term. Guilt might mean anything, from mere knowledge of the intended rising—under which construction every Catholic landowner in Ireland would fall probably within the excluded list—to active participation in massacre, and this could be traced to a comparatively insignificant number. The act was construed so favourably to the Catholic petitioners, that more of the soldiers and

[1] *Irish Act of Settlement:* 14 & 15 Charles II. cap. 2.

adventurers were removed than there was land elsewhere to compensate. A million acres cultivated, or capable of cultivation, remained undisposed of; and to these were to be added the allotments of the regicides, Ireton, Fleetwood, Ludlow, and others, who had bought estates, or received grants of them to their families. But out of these lands half of Tipperary was given to the Duke of York. Ormond's vast domains had to be restored, with additions, as well as those of the loyal Protestants and of the Anglo-Irish peers and gentlemen who had been specially named by the King, and whose claims Parliament had allowed. Many settlers were thus ejected for whom no compensation could be found; a second act was found necessary to save the Protestant interest, and the tendency of the Court of Claims to decide in favour of the old owners became still more evident from the compromise to which the Protestant colonists found it necessary to submit. By the 17th and 18th of Charles II. cap. 3 (1665), the soldiers, adventurers, and debenture holders consented to accept two-thirds of their legitimate claims, and those already in possession, to part with a third of the land they held to secure an unchallenged tenure of all that remained.

By this sacrifice sufficient was obtained to meet all demands that could fairly stand scrutiny; and, in return, to put an end to the uncertainty which must have otherwise hung over half the new holdings, the period within which Catholic claimants of estates must have proved their innocence was limited to the current year. Witnesses died off; particular things were forgotten; and innocence would be considered established unless proof of guilt was forthcoming. If the challenge might be postponed indefinitely, no

BOOK I. 1665

tenure at all under the Act of Settlement could be considered secure. There was a frank admission that the object of the second act was to defend the Protestant interest. So great had been the tendency of juries to favour the native Catholics that a clause was inserted directly ordering the Act to be construed beneficially to the Protestants. The King, in return, 'that more old proprietors might be restored,' agreed to abandon debentures which had lapsed to the crown where part of the purchase-money had been left unpaid.[1]

Thus, amidst confusion and heart-burning, the ownership of the land of Ireland became once more determined.

According to the Down survey, made at Cromwell's order by Sir William Petty, the entire surface of the four provinces contained ten million five hundred thousand Irish acres.[2] Of these a million and a half were bog, mountain, and lough. Another million and a half was coarse land, commonly called unprofitable. Of good land, arable and grass, there remained seven million five hundred thousand acres. The three million acres of wild country had been left wholly to the native Irish. Of the good land there had fallen under forfeiture from the rebellion, five million two hundred thousand acres, nearly all of which, before October, 1641, had been owned by Catholics. Two millions belonged to the Protestants planted by Elizabeth and James, who had been the objects of the massacres, and had recovered their lands under the Commonwealth. Three hundred thousand acres were the property of the Established Church, belonging either

[1] *Second Act of Settlement*: 17 & 18 Charles II. cap. 2.

[2] 121 Irish = 196 English.

CHAP. III.

1665

to the bishops' sees, or to the deans and chapters. They had been left untouched, being designed for the support of Cromwell's ministry, and reverted to the Church on the Restoration. Of the five million two hundred thousand acres which had been forfeited, there were given back to Catholics, under the two Acts of Settlement, two million three hundred and forty thousand acres. Two hundred thousand more were restored to Ormond, Inchiquin, Roscommon, and other Royalist Protestants; a hundred and twenty thousand were given to the Duke of York—substantially, therefore, to the Catholic cause. The rest remained to the adventurers and soldiers, or the speculators who had purchased their shares of them; and to this remainder were to be added eighty thousand acres in Connaught, sold by the transplanted Irish to Protestant capitalists.

As a total consequence of their rebellion, therefore, the Irish Catholics, who, before 1641, had owned two-thirds of the good land of Ireland and all the waste, were now reduced to something less than one-third; Sir William Petty appending to his summary the significant remarks, that, of the Irish who pretended innocency, seven out of eight had their claims allowed; that those who, either under this plea or under the special favour of the crown, were restored, received their estates again enlarged by a fifth, as a compensation for their losses; that by forged feofments of what was more than their own they obtained an additional third; and, finally, 'that of those adjudged innocents, not one in twenty was really so.[1]

[1] Petty's *Political Anatomy of Ireland.*

SECTION II.

BOOK I. 1665

Shorn of a third of the lands which they had regarded as their own, and with an inevitable sense of insecurity from the return among them of their irreconcilable enemies, the Cromwellian settlers were even more seriously disturbed by the re-imposition of the authority of the Established Church. The Independents had not been popular in Ireland; the Presbyterians had not forgotten or forgiven the execution of Charles the First; and, in their hatred of a form of religion which, except politically, was indistinguishable from their own, they acquiesced in the restoration of the Episcopalianism which, in the days of Strafford, had trampled on them and tyrannized over them.

The proportion of Protestants to Catholics had increased very considerably since the settlement. Of the latter there were now 800,000; of the former 300,000. A hundred thousand were Scots, and almost to a man Presbyterians. Of the English, half only were Episcopalians; the rest were Presbyterians, Independents, or Quakers. The Establishment, however, was the religion of gentlemen. The events of the last years had brought discredit on Nonconformity. Bramhall came back, and was made Primate. Two archbishops and ten bishops were consecrated at St. Patrick's on January 27, 1661. They lost not a moment in teaching Dissenters of all kinds that their day was over—in teaching the Presbyterians especially the value to them of that loyalty

to the crown which had made them so bitter against the ministers sent by Cromwell.

The Cromwellian settlers were almost all Nonconformists, the Scots in Ulster wholly so. To insist that no one should officiate who had not been ordained by a bishop was to deprive two-thirds of the Protestant inhabitants of the only religious ministrations which they would accept, and to force on them the alternative of exile or submission to a ritual which they abhorred as much as Popery; while, to enhance the absurdity, there were probably not a hundred episcopally-ordained clergy in the whole island. Yet this was what the bishops deliberately thought it wise to do. They carried through Parliament a second Act of Uniformity. To the already stringent conditions of ordination they added another, which was like the offspring of lunacy. Not only was every clergyman to profess before his congregation his full acceptance of the Prayer Book; he had to subscribe a declaration that a subject, under no pretence, might bear arms against his King; that he abhorred the traitorous position which distinguished between the King's person and the King's lawful authority; and that the oath to the League and Covenant, which had been generally taken by the Protectorate ministers, was illegal and impious. No person, for whose political and spiritual orthodoxy these securities had not been taken, was permitted to hold a benefice, to teach, preach, or administer the sacrament in any church, chapel, or public place.[1] The form of prohibition extended to the Catholics, the practice applied only to the Nonconformists, who became at once the objects of an unrelenting and unscrupulous persecution. There

[1] 17 & 18 Charles II. cap. 6.

BOOK I. 1665

were seventy Presbyterian ministers in Ulster. Eight only accepted the bishops' terms and were ordained: the rest were deprived, and, when persisting in recusancy, were imprisoned.[1] Jeremy Taylor, the impersonation and special jewel of Anglicanism, who came over with Bramhall, to be made Bishop of Down, and afterwards of Dromore, at one visitation declared thirty-six churches in his diocese vacant,[2] and sent people of his own to supply the empty pulpits. The miserable division, in the face of the common enemy, thus condemned the Church from the first to irremediable failure as a missionary institution. It made no converts from the Catholics. It checked instantly and decisively the immigration of Puritans and Presbyterians from England and Scotland, who would gladly have welcomed a refuge in Ireland. The more serious of the Cromwellians sold their holdings, and left a country which could be no longer a home for them; and then commenced that fatal emigration of Nonconformist Protestants from Ireland to New England, which, enduring for more than a century, drained Ireland of its soundest Protestant blood, and assisted in raising beyond the Atlantic the power and the spirit which by-and-by paid England home for the madness which had driven them thither. Ulster partially recovered its freedom. The Scots were too numerous and too resolute to be put down, and they wrung from the bishops at last the connivance which was allowed to the Catholics. The southern provinces were less fortunate. The few families of Independents which remained were condemned to spiritual isolation. So long as the first owners lived they retained

[1] Reid, *History of the Presbyterians in Ireland*, vol. ii. p. 267, Killen's edition, where the list of the expelled ministers is given.

[2] Ibid. p. 263.

their own beliefs; but deprived as they were of school or chapel, they could not perpetuate them. Liturgy and mass were to them alike detestable. To Church they would not go; separate family worship they were unable to maintain; and thus their children were swept into the Irish stream, became Catholics, like those among whom they lived and married, and trod in the old steps of the generation who had gone before them.[1]

Had the Church possessed an expansive power of its own, there would have been at least some compensation. But the Anglican system was a creation of compromise. It was the religion of educated gentlemen: it was not and could not be the religion of the poor, to whom emotion stands in the place of knowledge. The Established Church of Ireland produced many excellent and some great men; but in the eyes of the Celtic peasantry it was the cold symbol of Saxon supremacy. It could neither compete successfully with the priests for the adherence of the people, nor could it resist the influences to which, through its connection with the State, it was itself peculiarly exposed; while the Catholic complexion of

[1] The immense majority of the soldier settlers left the country. Lord Clarendon, however—(Henry, eldest son of the Chancellor, Lord-Lieutenant in Ireland in 1686)—probably underrates the number that remained. 'Your majesty,' he wrote to James II., 'is said to believe that the gross of the English of this kingdom are fanatics of Cromwell's brood, the offspring of those who served in the rebellion against your sacred father, which I presume to say is a very great mistake. There are very few of the original soldiers and adventurers now left, or of their descendants. Of the latter not twenty families, and no great number of the former. The generality of those two great interests sold their lots, many of them to honest men, who, at the King's restoration, brought with them out of England to lay out here what little remained of their fortunes, and many of them to a new sort of people, who are always to be found where fortunes are to be made, and who never had anything to do in the rebellion.'—'The Earl of Clarendon to the King, August 14, 1686.' *State Letters*, vol. i.

BOOK I. 1665

the Prayer-book was exceptionally unfortunate in a country in which the expansion of Protestantism was the condition of a settled government. 'The state of the Church,' wrote the Earl of Clarendon to the Archbishop of Canterbury, after Bramhall and Jeremy Taylor and Leslie of Raphoe, and their brother prelates, had worked their will on the Dissenters, 'is very miserable; most of the fabrics are in ruins; very few of the clergy reside on their cures, but employ pitiful curates, which necessitates the people to look after a Romish priest or Nonconformist preacher, and there are plenty of both. I find it an ordinary thing for a minister to have five or six cures of souls, and to get them supplied by those who will do it cheapest. Some hold five or six ecclesiastical preferments worth 900*l.* a year, get them all served for 150*l.* a year, and preach themselves perhaps once a year. When I discourse with my Lords Bishops on these things I confess I have not satisfactory answers, but, with your Grace's help, I do not despair of doing some good, for many things are redressed without any other difficulty than men's doing their duties. Several of the clergy who have been in England have sent to me to renew their leave of absence; and they must return; for absence without leave forfeits the preferment, and none shall be licensed without good grounds. The Archbishop of Tuam,[1] after three years' absence, is resolved to come over, and I hear is on his way. Down and Connor[2] has been absent six years. He wrote to renew his license. I refused.'[3]

[1] John Vesey.

[2] Dr. Hacket, afterwards deprived for simony.

[3] 'The Earl of Clarendon to the Archbishop of Canterbury, May 25, 1686.' *State Letters*, vol. i.

SECTION III.

CHAP. III.

1663

The salt of English Puritanism was driven out of Ireland at a time when Puritanism represented the most genuine element in the English mind. The place of it was taken by speculators seeking their fortunes, solid, hard-hearted men, indifferent to creeds, and well contented with an establishment which left them alone. Toleration of the Catholics was a natural part of the same policy. The penal laws were suspended at the special instance of the King; and once more it was the reign of conciliation. Though half the penalty had been remitted, the Irish had been heavily punished. They would now, it was to be hoped, show themselves duly grateful for the indulgence extended to them.

The rebellion was not, however, to be forgotten. The 23rd of October was set apart, by Act of Parliament, as a solemn anniversary, to be observed with a religious service and a sermon, 'in perpetual memory of a conspiracy so inhuman and cruel as the like was never heard of in any age or kingdom.[1] The new Protestant gentry were shrewd men of business, who meant to incur no more risks than they could help. They had come to Ireland to push their way by English energy and enterprise. Whatever their political opinions, they were well aware that, as the world then was, skill and industry were mainly Protestant virtues; and if Ireland was to become, as they

[1] 14 & 15 Charles II. cap. 8.

BOOK I. 1663

intended, a second England, Irish Popery, with its idleness and its faction fights and slatternly habits, could not be allowed to recover the ascendant. With their eyes open to the manufacturing resources of the country they passed an act to encourage French, Flemish, and Dutch Protestant workmen to come and settle among them. They failed to see, that the cause which was driving out the Independents would serve equally to keep out the foreign Calvinists; but the natural sense of Saxon men of business would probably have soon enlightened them had free trade been continued, and had they felt the absence of skilled labour. Before the days of coal and steam the unlimited water power of Ireland gave her natural advantages in the race of manufactures, which, if she had received fair play, would have attracted thither thousands of skilled immigrants. The Presbyterians held their ground in Ulster with the help of the now rising linen trade. Had other trades been permitted to grow, and an industrial middle class established itself in the southern provinces, they would speedily have wrung adequate toleration from the dominant Church. This one true and real justice to Ireland, unhappily, was precisely what the reconstituted government of England refused to allow her. By the parties now and for another century in the ascendant there, Ireland was regarded as a colony to be administered not for her own benefit, but for the convenience of the mother country.

So rapidly under the Cromwellian despotism had the wealth of Ireland increased, that having been brought to the lowest depth of ruin, she was now able, after defraying all her own expenses, to settle on the King a permanent revenue of 30,000*l.* a year.

Home jealousy took alarm at a growth so rapid. Ireland, if allowed free trade, would, it was feared, undersell England in the world's markets. Profits would fall. The value of real estate would fall. The best artisans would emigrate to a country where land was cheap and living inexpensive. English commerce was about to be ruined for the sake of the unruly island, which was for ever a thorn in her side. Ireland was admitted to the benefit of the first Navigation Act of 1660. English ships possessed no privileges which were not extended to Irish. The export of Irish as well as English wool to foreign countries was prohibited, because it was the best in Europe; the fleeces of France and Spain could not be woven into the finest kinds of cloths without an intermixture of the wool of these islands; and while they retained the material the English and Irish weavers retained the monopoly of the manufacture. Ireland was not injured so long as each country alike might export her own cloths. But the equality of privilege lasted only till the conclusion of the settlement and till the revenue had been assigned to the crown. In the Navigation Act of 1663 Ireland was left out. She had established an independent trade with New England; it was destroyed. All produce of the colonies sent to Ireland, all Irish produce sent to the colonies, had first to be landed in England and thence reshipped in English bottoms.[1] She had established a large and lucrative cattle trade with Bristol, Milford, and Liverpool. It was supposed to lower the value of English farm produce, and was utterly prohibited. Neither cow or bullock,

[1] 15 Charles II. cap. 7.

BOOK I. 1663

sheep or pig, fat or lean, might be transported from Ireland to England.[1] Salt beef and bacon, even butter and cheese, lay under the same interdict.[2]

With the restriction of her chief exports, her shipping interest suffered a simultaneous eclipse. Such direct trade as she retained was with France, Spain, and Portugal, as if England wished to force her, in spite of herself, to feel the Catholic countries to be her best friends.

It was the beginning of a policy which was to be persevered in till it had for ever blighted the hope of Ireland becoming a prosperous Protestant country. Further, however, it was not immediately carried. The woollen manufactures and the linen manufactures were for the present permitted to stand side by side, and to compete with the productions of Ireland's powerful rival. The saffron shirt of the Irish, of native make, had been celebrated from immemorial time. Lord Strafford had encouraged further a form of industry which would give least umbrage in England. He had imported choice kinds of flax-seed, and given bounties on the cultivation. The woollen manufacture, which he had discouraged, had been set on foot again by Cromwell. The prohibition of the export of the raw material was an encouragement to the native weavers, and Irish woollens were acquiring a name in Europe. The two trades were equally thriving; and, had they been allowed to stand, there would have been four Ulsters instead of one. As it was, the reign of Charles the Second, notwithstanding some absurd restrictions, and the more absurd

[1] 18 Charles II. cap. 2. *English Statutes.*

[2] 32 Charles II. cap. 2. *English Statutes.*

religious persecutions of the Dissenters, was looked back upon in the next century as Ireland's golden age. The Catholics had not recovered from their punishment. They were indulged, and they appeared to be grateful. Trade was busy and growing; and the tenure of property was too insecure to permit absenteeism. The spent force of the impulse which had been imparted by the vigorous administration of Cromwell was not yet exhausted; and the tendency, though at a slackening rate, was still forward and upward.

1663

SECTION IV.

BOOK I. 1666

The Church meanwhile was making no converts. The Catholics were recovering strength. Every parish had its priest again, and friaries and convents sprung up as if the laws against them had been blotted from the statute book. The elasticity of the permanent customs duties dispensed for the present with the necessity of another Parliament;[1] but the suspension of the constitution could not last for ever. At the next election the Catholics were prepared to resume their privilege of voting. A Catholic majority might easily be returned in the House of Commons, and a collision of the creeds would be inevitable. The Acts of Settlement had done too much or too little: too much, if Protestant ascendancy was to be maintained and Ireland was to be treated as a conquered country; too little, if the Catholic Irish were to be really conciliated. Both parties felt, that with the accession of a Catholic king the struggle must be revived.

The 'Tories' continued to give trouble. The sons of the dispossessed owners levied war upon the intruders, supported by the sympathies of the people; and, with a halo of spurious patriotism about them, hung about the Protestant settlements, burnt the farmhouses, and shot and stabbed their inmates. The farmers armed in self-defence, and organized themselves into regiments of militia, that there might be no second surprise.

[1] After the session of 1665–6, no Parliament met in Ireland for twenty-six years.

CHAP. III.

1670

Dangerous influences were at work, even in Charles's lifetime, at the English court. The secret advisers in Irish matters were the two Talbots,[1] Peter, Catholic Archbishop of Dublin, and Colonel Richard —lying Dick, as he was called in the London coffee-houses—known afterwards as the famous Duke of Tyrconnell. Archbishop Peter was treated at the Viceroy's court with distinguished consideration. He appeared in council in his episcopal robes. In 1670 he borrowed plate and hangings from the Castle for a splendid religious celebration; Lord Berkely, who was Lord-Lieutenant, sending them to him with a message that, in a few months, 'he hoped to see high mass at Christ Church.'[2] Colonel Talbot prevailed on Charles, in the following year, to reopen the Acts of Settlement, and order an inquiry into the working of them. The conspirators believed themselves even then in a full career towards success, when they were stopped by the English House of Commons, who insisted sternly that the acts should not be tampered with; that the Talbots should be sent about their business;[3] and the law be observed which disqualified Catholics who declined the Supremacy Oath from being members of corporations and in the commission of the peace. The Papal party had shown their teeth too soon, and slunk back out of sight; but with James's accession the hour of triumph had come.

Let the enthusiasts who believe that Ireland can be governed upon 'Irish ideas,' and that Irish Catholics can be contented with concessions which leave them less than omnipotent, study the history

[1] Sons of Sir William Talbot, of Cartown, Kildare, and related nearly to the Talbots of Malahide.

[2] Harris, vol. i. p. 270.

[3] Ibid. p. 274, 275.

BOOK I. of the last attempt to do them 'justice' on these principles.

1686 The first sign of what was coming was an order for the Protestants to be disarmed. Ormond, whom Charles left at his death as Viceroy, and from whom no help could be looked for in the measures which James contemplated, was allowed to resign. Lord Granard, and the Primate Michael Boyle, an old man almost in his dotage, were made Lords Justices. By them instructions were issued to take away the muskets of the militia, on pretence of preventing disturbances; 'muskets of the militia' were construed to cover the guns and pistols of the Protestant gentry; and Sir Thomas Newcomen, Granard's brother-in-law, when questions were asked in council said fiercely, 'that the English wanted no arms;' the work was not half done, and 'he hoped they would never have arms put into their hands again.'[1] The Tories took the hint, and went vigorously about their part of the business. The Government could not proclaim them for want of formal informations, which the gentlemen were afraid to send in; and a zealous officer at Cork, Captain Aunger, who killed a notorious robber in attempting to take him, was threatened with indictment.[2] Those who were not wilfully blind, saw plainly how events were tending. There were still persons, however, who could believe that if Protestant ascendancy were put down, and the two creeds be placed on an equality, the lion and the lamb would lie down in peace together; and, while plausibility and cant of toleration would pass current, they

[1] 'The Earl of Clarendon to Rochester, January 19, 1686.' *Clarendon State Letters*, vol. i.

[2] 'Clarendon to Sunderland, Jan. 19, 1686.' *Ibid.*

formed a convenient shield to the real purpose. The Primate Chancellor resigned the great seal. Sir Charles Porter was sent from England to succeed him. The Earl of Clarendon was appointed Lord-Lieutenant; and James, when Clarendon waited on him and took leave, gave a distinct assurance that the Acts of Settlement should be maintained. The Catholics as Catholics were to have equality of privilege with the Protestants; but the Irish were still to understand that they were to suffer the consequences of having rebelled.[1] The principle of the Government was to be religious toleration. Popery was to be no longer treated as a disqualification for office; and from this it seemed to follow, that the anti-popery laws had been unfair, the rebellions against them justified, and the consequent confiscation a crime. Principles, however, were not to be tested by the conclusions growing out of them, and Clarendon came over with an honest intention of carrying out his master's wishes, so far as he understood those wishes. He was an Englishman, convinced as his father had been, as every intelligent English statesman had been, that if Ireland was to be a wholesome member of the empire, the English interest must be maintained. If uncertain at his arrival, a brief experience sufficed to show him what the native race were, and what the country would become if handed back into their keeping.[2]

1686

[1] 'When the King sent me here he told me, that he would support the English interest, and that he sent me that the world might see that he would do so. They were to have the freedom of their religion, yet he would have them see too that he looked upon them as a conquered people, and that he would support the settlement inviolably.' —'Clarendon to Rochester, October 2, 1686.' *Clarendon Letters*, vol. i.

[2] 'It is sad to see the people—I mean the natives — such proper, lusty fellows, poor, almost naked, but will work never but when they are ready to starve, and when they

BOOK I. 1686

The next practical step was the reconstitution of the Courts of Law. The second Act of Settlement appeared to preclude the revival of claims on the Protestants' estates; but ingenious barristers could find roads through statutes, if sure of a favourable hearing; and it was therefore necessary to admit Catholics to the bench. Clarendon made no objection, but recommended that, if there were to be Catholic judges, they should be Catholic Englishmen. He saw signs of uneasiness, he said, and apprehensions of change; the Irish who had been restored by the Court of Claims were as much afraid of re-opening so sore a subject as the Protestants.[1] He advised —and his opinion was endorsed by Chief Justice Keating, an Irishman by birth—that if the King meant to admit Catholics to high offices of state, he should first appoint a commission to confirm the existing tenures, and place the security of property beyond a doubt.[2]

The King, who had Colonel Talbot at his ear again, listened neither to the Viceroy nor to the Chief Justice. The judges in Ireland held their office *durante bene placito*. All the Protestants except three were removed, and their places filled by Catholics, one of them, Mr. Justice Daly, being described by Clarendon as 'perfect Irish, of the old race, very

have got them a few days' wages will walk about idly till that be gone. If they cannot then get work they steal. Their women do nothing —not so much as spin or knit; but have a cow, two or three, according to the bigness of their ground, which they milk, and on that they live. Their houses are pig-styes, walls cast up and covered with straw and mud, and out of one of these huts, ten or twelve feet square, you shall see five or six men and women bolt out as you pass by, who stand staring about.'—'Clarendon to Rochester, May 4, 1686.' *Letters*, vol. i.

[1] 'To Rochester, May 8.'

[2] 'To Rochester, March 14 and May 8, 1686.' *Ibid.* vol. i.

bigoted and national.' If equality of religion was to be the rule of the Bench—*à fortiori* it applied to the secondary offices. The army was thrown open and the commission of the peace. Catholics were to be sheriffs of counties. There had been Catholic sheriffs before the rebellion, and therefore there might be Catholic sheriffs again. When Clarendon objected that they must take the Oath of Supremacy, he was directed not to require the Oath of Supremacy. The same rule was applied to the Privy Council. The new judges were introduced on the board, and most of the great Catholic peers.

The hierarchy felt the ascending tide, and sounded the war trumpet, disdaining disguise. A convention was held at Dublin. Circulars were sent round by the Bishops, directing lists to be furnished from every parish of men able to bear arms.[1] 'I wish I knew how to act,' wrote the perplexed Clarendon to Lord Rochester. 'If the Protestant clergy were to hold a convention without giving me notice, I would not suffer them to meet. I would punish them for the attempt, and I know the King would approve. These meetings ought not to be held without the supreme authority.'[2]

The Protestants were honourably eager to prove that they did not deserve mistrust. A Mr. Keating, an Irishman, had been killed in a duel by a son of Sir William Ashton. Ashton was in fault, and was put

[1] 'I had lately an information given me from a good hand to this effect, that every parish priest throughout the kingdom hath had instructions from their respective bishops, to give an exact list of all the men in every of their parishes which may be fit to bear arms, and of what ability they are, and their return is given to the several bishops.'—'Clarendon to the Lord Treasurer, May 15, 1686.' *Letters*, vol. i.

[2] *Ibid.*

BOOK I. 1686

on his trial. He excepted against every Catholic that was empanelled. He was tried by a jury exclusively English, and the Irish clamoured that he would be acquitted. He was found guilty and hanged.

The exaggeration of justice was of course interpreted into cowardice. The next step was to place the arms of the militia beyond the reach of recovery. Chester Castle was made the arsenal for Ireland; and orders were given for the stores at Limerick, Athlone, and Carrickfergus to be removed to Dublin, from thence to be shipped to England.

The generation which remembered 1641 had not yet died out. The traditions of the massacre were told by the fireside of every Protestant family, and the circumstances which preceded it were all once more present, with the fatal aggravation, that the King was now avowedly on their enemies' side, and there was no longer a Long Parliament to hold his hand. England, it almost seemed, was running the same road, and about to become Catholic itself.

Betrayed by their natural protectors, deliberately deprived of the means of self-defence, and handed over apparently to the mercies of exasperated and now triumphant enemies, the Protestants began to set their houses in order, and such of them as were able, to fly out of the country.

'Never in my life,' Clarendon wrote passionately to the King, 'have I met with people fuller of duty to your majesty, nor more desirous of opportunities to manifest their loyalty.'

'The King does not believe me,' he said, when he found remonstrance vain. 'Well, I have done my part. If the King finds his subjects here desert the

country every week, as I am sure they do, perhaps I shall be believed then.'[1] CHAP. III. 1686

Fast as the changes were hurried forward, the revolution moved too slow for James's impatience. Colonel Talbot, promoted to the ominous name of Earl of Tyrconnell, as if purposely to inflame the national Irish spirit, was now sent over to quicken Clarendon's hesitation. The army was to be remodelled. The King, Tyrconnell said when he arrived, would not keep a man in his service who had served under the Usurper. The Protestant officers were displaced, and Irish Catholics substituted. Since the sheriffs and magistrates were to be Catholics, Clarendon had at least nominated men of weight and station. The appointments did not satisfy Tyrconnell. 'Moderate Catholics' he was pleased to call 'Trimmers.'[2] 'By God! my Lord,' he said—every second sentence contained an oath with him—'the sheriffs you made are generally rogues. There has not been an honest sheriff in Ireland these twenty years.' Tyrconnell and Nugent, one of the new puisne judges, drew a list of sheriffs for the year following, which Clarendon was forced to accept; and the entire civil magistracy of Ireland was now at the disposition of the Papist fanatics.

At length matters were ripe for the attack on the Acts of Settlement. Tyrconnell introduced the subject before the council in his peculiar manner.

'By God! my lord,' he said, again rising from his seat to speak, 'these Acts of Settlement and this new interest are damned things!'

Such words were unusual at the Council Board,

[1] 'Clarendon to Rochester, June 3.' *Letters*, vol. i.

[2] 'To Rochester, June 15.' *Letters*, vol. i.

BOOK I. 1686

even in Ireland. The Viceroy interrupted him. 'Their business,' he urged, 'was to quiet men's minds, that the common interest might flourish, and trade and revenue increase.'

Tyrconnell was not to be stopped. 'We know,' he continued, 'the arts and damned roguish contrivances that procured those acts. I know it would make a confusion if they were touched; but Mr. Justice Keating and Sir John Temple told me that the new interested men would give a third or half what they have to secure the rest. I will say no more at present; but, by God! my lord, there have been foul damned things done here.' [1]

Tyrconnell was a remarkable specimen of a religious leader. 'In bare matters of fact,' wrote Clarendon to Lord Rochester, 'the truth will never be known from my Lord Tyrconnell. It is impossible you can believe, except you found it, as we do here, how wonderfully false he is in almost everything he says.'

'Lying Dick,' however, such as he was, represented the King's pleasure, and the Viceroy began to see that he could no longer depend on James's words to himself.

'All proceedings now look,' he said, 'as if the King's mind was altered, and as if he intended a total alteration. He consults only with the Irish whose interest is to break the settlement. All power is in the hands of the conquered nation, and the English, who did conquer, are left naked, and deprived even of the arms which by the patents of plantation they are obliged to have in readiness for the King's service.' [2]

A third of these grants had been sacrificed at the

[1] 'Clarendon to Rochester, June 8.' *Letters*, vol. i.

[2] 'Clarendon to Rochester, October 12.' *Ibid.*

CHAP. III.

1686

second Act of Settlement. It was now broadly hinted that a third or half of what remained would be further expected of them. The moderate Catholics had desired that the acts should be confirmed. Their advanced representative on the council—the Chief Baron of the Exchequer, Sir Stephen Rice—frankly insisted that the acts should be repealed. It was assumed that, if time had been allowed, every claimant for reinstatement would have proved his innocence, and so made good his right. As a compensation for the long deprivation, Sir R. Nagle, the Attorney-General, proposed that the ancient proprietors, who by the acts were intended to be restored to their estates after the present possessors were reprised, should at once be put in possession; and that the English occupants, after twenty or even thirty years of occupancy, having built, drained, fenced, and planted, and trebled or quadrupled the value of the properties, should be paid off at the price of the original debentures.[1]

While judges and law officers spoke plainly, the King still maintained an affected veil on his own intentions. He talked of summoning a Parliament; but there was not a child of ten years old that could be ignorant what a Parliament would do, assembled under such auspices as the present. The most sinister rumours were abroad. Clarendon continued to hope; but, sanguine as he tried to be, an autumn progress through the south dispelled the possibility of illusion. The priests forbade the people to appear at his levees. Tyrconnell, not the Viceroy, was the representative of James Stuart in Ireland.[2] The next

[1] 'Clarendon to Ormond, August 28.' *Letters*, vol. i.

[2] 'At Cork, some gentlemen of both religions being together, and discoursing with some wonder how few of the natives had been with me, a Roman Catholic priest in the company, who will own it, said,

BOOK I. 1686

post from England brought Clarendon word that he was in disgrace at the court. His recall had been determined, and Tyrconnell was to take his place. Profoundly loyal as Clarendon was, he could not blind himself to what such an appointment would mean. The English interest was about to be sacrificed. The administration of the country was to be thrown into the hands of a set of men whose object was the same as that of the conspirators of 1641, though their road to it might lie through less violent means. He had come over on a mission of conciliation, and conciliation was found to imply, extremely plainly, the extirpation of the Protestant settlers. On the eve of his departure, he pointed out to his brother his unwilling conviction that, unless Ireland was to go her own way altogether, concession to the Catholic clergy was a delusion and a folly.

'It is scarce possible for any that have not been here,' he said, 'to believe the profound ignorant bigotry the nation here are bred in by the priests, who, to all appearance, seem to be as ignorant as themselves. The generality of them do believe that this kingdom is the Pope's; that the King has no right further than the Pope gives him authority; and that it is lawful for them to call in any foreign power to help them against those who oppose the jurisdiction of the Church, as has evidently appeared by the late rebellion. And I do assure you the same principles which carried on that rebellion have been since carefully propagated, and are now too publicly owned. True, many Roman Catholics declare against these

"Our people are mad: our clergy have forbid gentlemen to appear." Says another, "We have among us who pretend to govern and to know more of the King's mind than my Lord Lieutenant." '—'Clarendon to Rochester, October 2.' *Letters*, vol. ii.

principles, and do detest them, even priests. But these two things are observable; first, that those who detest those principles, and will not allow the Pope to have so great an authority at this time when Roman Catholics are put into all employments, are scarce taken notice of, and upbraided with the names of whigs and trimmers, and the children of the most active in the rebellion, and those who set up the Pope's authority most, are in the employments; and secondly, notwithstanding the moderation of those Roman Catholics I mention, not one of them will suffer any of the others to be prosecuted for any offence they commit.[1]

[1] 'Clarendon to Rochester, December 26, 1686.' *Letters*, vol. ii.

SECTION V.

BOOK I. 1687

The Irish believed that Ireland was theirs; that the English were invading tyrants who had stolen their land, broken up their laws and habits, and proscribed their creed. The English believed that Ireland was a country attached, inseparably, by situation and circumstances, to the English crown; that they were compelled to govern a people who were unable or unwilling to govern themselves, and that the spoliation with which they were reproached had been forced upon them by the treachery and insubordination of the native owners. Between these two views of the same facts no compromise was possible. That the Irish, being what they were, should bear the chain impatiently was inevitable from the constitution of their nature. It was no less certain that England neither could nor would recede from the position which she had taken up, and that, before the Irish were allowed to be independent, they must win their independence with the sword. Those who could look beyond the moment, saw plainly that the struggle which was recommencing must end at last in a conflict between the two nations. Religion might serve as a veil, for the present, over more vital questions; and the religious question itself might conceal its real nature behind the spurious pleas of toleration. But, even under the extravagant supposition that James could undo the Reformation and make England Catholic again, no English Parliament would or could consent that the settlers of English race should be dis-

CHAP. III.

1687

possessed, and that Irish rebellion, after its neck had been so hardly broken, should be re-established in its old strength. Tyrconnell meant to take back the lands. England, whether Catholic or Protestant, was sooner or later certain to interfere, and insist that it should not be. For the moment, however, the Irish were the winning side, and the game went merrily along. Clarendon resigned the sword, paying a melancholy but honourable compliment to the loyal hearts of the Protestants, who were now to be sacrificed. Tyrconnell, when he was installed, talked grandiloquently, as James had done in England, of the immortal principles of religious liberty, which were to be the rule of his government; principles which, in practice, were to mean that those who had been punished for a detestable rebellion, which they were pleased to describe as a religious war, were to be indemnified for their sufferings at the expense of those who had punished them. Chancellor Porter, as unavailable for the purpose in view, was dismissed with Clarendon. His office was given to Sir Alexander Fitton, whose qualifications were, the having been convicted and imprisoned for forgery, and whose merit in the King's eyes was his being a convert to Popery. Protestant officers were weeded out of the army; and the power of the sword being now Catholic, Chief Baron Rice set himself, as he described it, to drive a coach and horses through the Acts of Settlement: such statutes, he said, 'being contrary to natural equity, could not oblige.'[1]

The dispossessed families put in their claims. Outlawries were reversed as fast as the courts could give judgements; and decrees of restoration were made out

[1] *Life of William III.* Harris, vol. ii. p. 8.

BOOK I. 1687

so rapidly that it was said, 'if Rice had been left to himself he would, in a few years, have given away most of the estates of Protestants in Ireland without troubling Parliament to attaint them.'[1] Fitton said publicly that, among forty thousand Protestants, there was not one who was not a traitor, a rebel, and a villain. The merchants and manufacturers being Protestants, and in consequence governors of the corporate towns, the corporation charters were revoked and cancelled, and new charters issued, by which the Viceroy had himself the nomination of the aldermen. There was to be no bloodshed; the work could be done by forms of law, and there was no need of it. To make assurance more sure, a second search for arms was made in the Protestant houses. Their horses, swords, and pistols were demanded, with a threat that, if they were found with firearms in their possession for the future, 'their lives and goods should be at the mercy and discretion of the soldiers.'[2] The army, being Catholic, lived at free quarters on the Protestant farms. Tories, lately outlaws and bandits, were commissioned officers in the King's service; and over those who had set prices on their heads, they were left to work their will as they pleased. Tenants of Protestant landowners were bidden not to pay their rents, for the land would soon be their own. Tyrconnell proposed to receive the money meanwhile, to be used in the service of the King.

So went matters all through the year 1687, and for ten months of 1688, when the news came that the Prince of Orange had landed, and that the King was a fugitive. What now was to be the fate of Ireland?

[1] Harris, vol. ii. p. 8.

[2] *History of the Protestants in Ireland.* Archbishop King.

CHAP. III.

1688

To those who believed in the forms and shadows of things the English revolution made no difference, save that it might precipitate the severance of the two countries, which the Irish so intensely desired. The Dutch usurper might be driven out again, and the second revolution come to nothing like the first; but should it be permanent, the King of England need not be King of Ireland. Ireland might remain loyal to James, though England disowned him. They could fight against their old enemy, sheltered under the same veil as the insurgents of 1641, keeping still within the limits of the constitution, and overthrowing the detested Protestantism, while professing themselves the devoted subjects of their lawful sovereign. The members of the Established Church could not oppose them. The bishops and clergy, in the exaggeration of Royalism, had bound themselves to an opinion that, 'under no pretence, might men take arms against their king.' Tyrconnell, tyrant as he might be, was still the representative of the lawful prince. To resist Tyrconnell was to imitate the crimes of Cromwell, whom it had been their special function to anathematize. Secured against half the English settlers from this singular reason, the fanatic Catholics believed themselves safe in defying the rest. The Ironsides, thanks to Bramhall and Jeremy Taylor, were beyond the Atlantic. Except in Ulster, among the persecuted Presbyterians, the English could count on no friends in Ireland; and, without a party among themselves, would be too weak to resist the reviving energy of the native race.

There were others, however, longer-headed, like Chief Justice Keating, on whom the experience of the last rebellion had not been thrown away. Keat-

BOOK I. 1688

ing warned Tyrconnell in council that in the end, in grasping at the whole, the Catholics would lose all that had been left to them. Tyrconnell himself hesitated till he saw how events would turn in England, and how James would be received in France. He wrote plausible letters, affecting a desire to come to terms. William, with England in confusion, was peculiarly reluctant to court an Irish quarrel, and for some months there seemed to be a chance of a peaceful solution. The fanatics carried the day at last. Some Irish regiments had been sent to England to support James. They had thrown down their arms, and their officers were under arrest. General Hamilton, who was one of them, volunteered his services to William to negotiate with Tyrconnell. His offer was accepted. He returned to Dublin to tell the Viceroy that William's cause was desperate, and that in a few weeks, or months, James would be again on the throne. The letters from France were equally encouraging. Cannon were coming, and powder and muskets and money; perhaps a disciplined French army.

The uncertainty was at end. William's overtures were construed into a consciousness of weakness, and all Catholic Ireland was called under arms. The property of the Protestant farmers and gentlemen was generally seized. Cows and sheep were driven off; 'all was gone in three months, to the value of a million of money.'[1] What could not be consumed or carried off was destroyed, that 'the damned Whigs might not have the benefit of it.' The corn was cleared from the farm-yards. A guard of soldiers surrounded the bakehouses, that no Protestant might purchase a

[1] *History of the Protestants in Ireland.* Archbishop King.

loaf.[1] The less reticent Catholics said publicly, 'that they designed to starve half the Protestants in Ireland and hang the other half, and that it never would be well till it was done.'[2] 1688

Passionate language was not to be construed literally, but 1641 was not forgotten. When the Irish had the bit between their teeth they were unrestrainable savages; and this much they had determined, that, by fair means or foul, Ireland was to be swept clean of heretics. It was a less easy matter than Catholic enthusiasm anticipated.

The siege of Derry, almost the only heroic piece of story which the long chronicles of Ireland can boast, does not need a fresh description. At the end of 1688, an anonymous letter was addressed to Lord Mount Alexander, telling him that there was to be a second massacre. Whether such a design had or had not been formed, the story seemed only too credible; and in Ulster, where, though generally disarmed, the Protestants were numerous, they formed associations for general defence. The garrison of Derry had gone to England among the troops which Tyrconnell had dispatched to James. Lord Antrim was sent with another regiment to take its place. The inhabitants, proud of their virgin city, which, through the ten years of the last civil war, had kept their streets clear of the Irish enemy, decided to refuse to admit him till they had taken security for the character of his soldiers. Ezekiel Hopkins, the Episcopalian bishop, counselled submission; but the Derry Protestants were mainly Calvinists, whose respect for kings and bishops was not excessive. The apprentices closed

[1] *History of the Protestants in Ireland.* Dr. King was an eye-witness.

[2] *Ibid.*

BOOK I. 1689

the gates in Antrim's face; and though they were willing to accept half a dozen companies to take charge of the town, they stipulated, successfully, that half at least of the men should be of the same religion as themselves.[1]

Enniskillen had been no less resolute. The gentlemen throughout Ulster armed their tenants as well as they were able, and reestablished their disbanded militia. James, it was now known, was coming in person to Ireland; and Tyrconnell, to secure the North, at once sent down a strong force to disperse these incipient gatherings and seize the two towns. The militia, under command of Colonel Lundy, a feeble and perhaps treacherous officer, was easily broken up. Lundy himself fled to Derry; and finding the fortifications consisting of nothing but a half-ruined wall, insisted that defence was impossible. English ships, with two regiments, were in the lough. Lundy assured the English officers that, if the men were landed they could not be fed; and that the town was totally untenable. They sailed away, and left Derry to its fate; and Lundy prepared to surrender.[2] James himself was approaching in person to receive the capitulation. After many difficulties, he had obtained at last the promised assistance from France. He had landed at Kingsale on the 12th of March, bringing with him 5,000 French troops under Marshal Rosen, several hundred officers for the Irish regiments, cannon, ammunition, and arms for 40,000 men. He passed through Dublin on the 24th, when writs were issued for a Parliament; and he went on to the North, to return and open the session in May, when the Ulster troubles should have been put down.

[1] March, 1689. [2] April.

CHAP. III.

1689

Now was again witnessed what Calvinism, though its fire was waning, could still do in making common men into heroes. Deserted by the English regiments, betrayed by their own commander, without stores and half armed, the shopkeepers and apprentices of a commercial town prepared to defend an unfortified city against a disciplined army of 25,000 men, led by trained officers, and amply provided with artillery.[1] Expresses were sent to England for help. Lundy, to escape being torn in pieces, fled for his life. Major Baker and Dr. Walker, a clergyman of the Established Church, who had raised a regiment and seen service against the Irish, were voted into the command. Every assault failed. The siege was turned into a blockade. They were cut off from the sea by a boom across the river. Fever, cholera, and famine came to the aid of the besiegers. Rats came to be dainties, and hides and shoe leather were the ordinary fare. They saw their children pine away and die. They were wasted themselves till they could scarce handle their firelocks on their ramparts. As a shameful example of cowardice, an English fleet lay for weeks in the lough, the lazy ships visible from the church towers. There, before their eyes, were holds brimming with meal, hundreds of brave men ready and eager to come to their help, all lying enchanted by their commander's cowardice. Still indomitably they held on through three miserable months, till, on the 30th July, the Dartmouth frigate came in with two provision ships and an English officer who feared other things worse than danger and death. The boom was broken; the relieving squadron found their way to the town. The Irish camp was broken up in despair, and Derry was saved.

[1] April 17.

SECTION VI.

BOOK I. 1689

Enniskillen had been as successful as Derry. There too the Irish had failed. But the odds were desperate, and unless an army came from England, the end could not be far off.[1]

Meanwhile James had met his Parliament, not bringing with him the keys of Derry to grace the opening, but leaving Rosen to complete a conquest of which every day he looked for the news.

May 7.

On the 7th May the Lords and Commons of Ireland assembled in Dublin. By the constitution, the Irish Parliament could only meet when summoned by the King of England, and James was King of England no longer. By the constitution no measures could be submitted to them which had not been considered and approved by the English Council. Plead as they would that James was still King of Ireland, having neither abdicated that crown, nor done any act which could be construed into abdication, they were *ipso facto* in revolt against England. The value of their Parliamentary proceedings would depend on whether their swords were at length sharp enough to vindicate the independence which they had assumed. The meeting was itself an act of rebellion, and every person who took part in it was compromised. As between the two countries, the position was simple. If the Irish arms were successful, they were loyal subjects. If they were defeated, they were insur-

[1] May 7.

gents, and were again liable to forfeiture. The moral bearings of the question were less simple than the political. The Episcopal Church of Ireland was still praying for James as lawful King of England, and denouncing William as a usurper. The lawful King being present among them, might be held to carry with him his constitutional powers. The maintainers of the divine right were in hopeless embarrassment. In practice, however, whatever this Parliament might do could be only provisional. If William were to remain sovereign of England, Poynings' Act must be repealed on the field of battle before the statutes of an Irish Parliament could become law.

In prudence the Catholic leaders should have waited till the fighting was over, without committing themselves to acts which, unless they were victorious, might prove dangerous to them. But they were too impatient to bear delay. Ireland had an opportunity of declaring her free opinion of Engand's dealings with her, and was determined to use it.

The Parliament which passed the Acts of Settlement was almost exclusively Protestant. The Parliament which met to destroy them was almost as exclusively Catholic. The Protestant nobles had fled to England. Had Lord Clarendon called a Parliament, the Upper House would have contained ninety-six lay Protestant peers, with twenty-four bishops, and twenty-two Catholics. Fifteen outlawries were reversed. New Catholic peers were created. Boys under age were called to serve. Thirty-six in all presented themselves in Dublin on 9th May. Among them were nine Protestants only: four bishops—Munster, Ossory, Limerick, and Cork, whose attendance was insisted on to give a semblance of fairness

BOOK I. 1689

to the proceedings; and five lay Protestant peers—the Earls of Barrymore, Clancarty, and Longford, Viscount Ross, and Lord Kingsale. The rest were Catholics of the most prominent type, the majority of them legally disqualified, and called on to sit for the special business intended for the session. The House of Commons consisted, with five or six exceptions, of nominees of Tyrconnell. Elections could not be free in the heat of a revolution, and the sheriffs of counties and the mayors of the towns being necessarily Tyrconnell's creatures, the returns were managed without difficulty. Two hundred and thirty members were sent up. Six Protestants, perhaps by accident, perhaps for appearance, found places among them. It was inevitable, under the circumstances, that the most extreme men were most generally chosen. So bitter were the Catholic electors of Dublin, that Gerrard Dillon, the Prime sergeant, though of unimpeached bigotry, was rejected by them because he had bought an estate under the Acts of Settlement, and he sate for Mullingar.

Immediate steps, it was well understood, would be taken for the repeal of the detested Acts of Settlement. Chief Justice Keating, still confident whither all this was tending, made a last appeal to the King's better understanding. The time was unpropitious, for Derry was still closely blockaded, and the Irish were in a passion of elation at the defeat of an English squadron in Bantry Bay, which was sent to intercept the French ships that had brought James to Kingsale. There were principles of justice, however, not to be disregarded with impunity, on which Keating ventured to insist. The soil which had been taken from the Irish owner was bare as nature made it. Thus it

CHAP. III.

1689

had been when sold to the English. But it was no longer the same country. The wild common had been fenced in, the barren morasses turned to pasture, and ample stone mansions had taken the place of cabin and castle. The farms carried as abundant stock as farms in England; and up and down were established manufactories, by which the meanest peasant had been enriched and civilized. All was panic now, but the panic in its extent and magnitude showed how great the interests had become which were about to be hazarded. The English settlers had bought their lands in good faith, with a state title, and the honour of the government as their security. They had made Ireland the most improved and improving spot of earth in Europe, and, if the Acts of Settlement were repealed, they would be irretrievably ruined. The Chief Justice implored the King to pause before encouraging or allowing so dangerous and iniquitous a measure.[1] To James himself the justice of such an argument must have been obvious. But James was swept away in the torrent of an Irish revolution which he despised and detested, while he was obliged to use and humour it. The improvement of their estates did not diminish the anxiety of the old owners to return to possession. If landlords in ordinary times may appropriate without scruple the fruits of their tenants' industry, the lawful proprietors saw no occasion for Quixotic virtue in resigning rights which the change of times had restored to them, because spoilers and aliens had raised the value of the lands which they had stolen. The settlers should receive

[1] 'Address to King James in behalf of the Protestants,' by Judge Keating. King, Appendix, p. 22.

BOOK I. back their original purchase-money, and ought to feel themselves happy in being so equitably dealt with.

1689 The bill for the repeal was introduced on 4th June. The preamble, going back over the history of 1641, retorted the charge of treason on the Government. It accused the Protestants of having provoked the revolt, to take advantage of the forfeitures. It charged the Lords Justices with ambition, avarice, traitorous combination with Puritan sectaries to murder the Catholics, with an effrontery which seems natural in Ireland, but would have been impossible in any other country in the world. The guilty and the innocent were made to change places, and the Irish Catholics presented themselves as the injured victims of a perfidious conspiracy. On these grounds the representatives of the loyal and pious men who had lost life and lands in a holy cause, claimed to be restored to the possessions of their fathers.

Anthony Dopping, Bishop of Meath, had the extraordinary courage to rise in the House of Lords and protest. He took the ground of Keating. The present proprietors, he said, had bought their estates in good faith. They had sold their interests in England, and had committed their fortunes to Irish soil; and out of the wild, barren Ireland of the past they had made a thriving, growing, and prosperous country. It was pretended that, in justice to the old owners, they could not be allowed to remain, and they were promised an indemnity for their losses. He ventured to hint that promise was not fulfilment, and that the assessment was not likely to be equitable, when they were themselves to be allowed no voice in it. To destroy so many loyal and useful subjects was the height of impolicy. The revenue would return to

nothing, trade and manufactures would perish, the plough would turn the soil no longer, and the inhabitants would feed not on bread but on one another. 1689

'My Lords,' he concluded, 'either there was a rebellion in this kingdom, or there was not. If there was none, we have been very unjust all this time in keeping so many innocents out of their estates. God forbid I should open my mouth in defence of so grave an injustice. But then, what shall I say to his majesty's royal father's declaration, who owns that there was a rebellion, and in pursuance of that opinion passed an act to secure such as should adventure money for the suppression of it. . . I take it for granted that there was a rebellion, general or partial. If general, then all were guilty, and none can claim their estates. If partial, we ought to distinguish, and not confound, the nocent with the innocent.'[1]

The Bishop was not likely to be listened to with patience by an assembly which had met with a foregone conclusion. The fatal policy of the late reign, the retrogression from the steady principles of Cromwell, and the concession of part of their demands to men who challenged all as their legitimate right, and regarded instalments of so-called justice as a weakness which it accepts while it despises, was bearing its legitimate fruit. The Restoration found the three provinces exclusively Protestant, the rebellious elements shut up in Connaught, and in Connaught disarmed of power for mischief. 'Justice to Ireland' had flung bridges over the Shannon, and allowed the returning stream once more to flow over the land, and this was the result.

[1] King's *State of the Protestants in Ireland.* Appendix, p. 23.

BOOK I. 1689

The repeal was passed. Every one who held an estate under the Acts of Settlement was dispossessed. The old proprietors were reinstated in their inheritance, and made the happy owners of the wealth which had accumulated there. The ejected colonists were to receive compensation when they could get it. The Irish Catholics were thus restored to all which they had lost by the rebellion of 1641. There remained to be recovered the forfeitures from the Elizabethan wars and the six counties of the Ulster settlement. The process taken upon these was as complete as it was summary. Almost all the leading Protestants in Ireland were comprehended by name in one sweeping act of attainder. Two thousand six hundred landowners, commencing with the Archbishop of Dublin and the Duke of Ormond, were declared guilty of adherence to the Prince of Orange, and to have forfeited their estates by treason. Two months' respite only was allowed to such of them as were still in Ireland to present themselves in Dublin and take their trial. Each member of the House of Commons gave in a list of his Protestant neighbours, and guilt was assumed in the absence of proof of innocence. The habitual absentees were struck out, because, as residing in England or Scotland under the usurpation, and not having returned to Ireland to defend their natural sovereign, their treason stood confessed. Those who had fled since the disturbances, betrayed a consciousness of guilt, and were to be accounted guilty till they cleared themselves. The conditions of 1652 were reversed. Then all Catholics were held responsible for the rebellion of 1641; now all Protestants were partisans of the Prince of Orange. The question at issue was whether England had or had

not a right to govern Ireland, and the right depended on the relative strength of the two countries. If the Irish could succeed in driving the invaders out by force, history would see only legitimate retribution in the proceedings of James's Parliament.

Another act swept away the personal property, goods, chattels, stock, debts, bonds, arrears of rent of every person who was in arms against King James, or who, by the previous statutes, was declared to have forfeited his real estate. Schools and colleges were transferred to Catholic management; the churches and the church property were given back to Catholic bishops and priests. Poynings' Act was repealed, and Ireland was declared independent; while, in harmony with the language which James had ingeniously used to advance Romanism behind principles which were abjured in every Catholic country in Europe, laws interfering with liberty of conscience were declared repealed. Liberty of conscience might be safely conceded in a country where, if the present measures could be maintained, no Protestant was likely to remain.

The session, so momentous in its consequences, closed on 20th July. Eleven days later, Derry was relieved.

SECTION VII.

BOOK I. 1689

The Parliament had finished its work, and, so far as words could accomplish it, had achieved a revolution. Ireland was again Irish. It remained to be seen whether the sword would ratify the statute roll. For a time they had reasonable hopes that fortune would at last favour them. On the 13th August, Duke Schomberg, with a nominal force of 20,000 men, landed in Down and took Carrickfergus. But, under the training of Marshal Rosen and the French officers, the Irish displayed capacity as soldiers. Supplies continued to pour in from France, and Schomberg's army, comprised of English, Dutch, Germans, and French Huguenots, ill-furnished and worse-disciplined, lay idle in Ulster, disabled with sickness, vice, and division. Neither Schomberg, nor Schomberg's master, understood the Irish problem. The clergy of the Established Church were called Protestants, but, notwithstanding attainders and confiscations, were still everywhere praying earnestly for James, and denouncing the new usurper. The siege of Derry had shown that all the Protestants were not of the same mettle; but Schomberg's officers did not care to distinguish, and treated all alike 'as enemies to King William's government.' 'The best of them,' it was said, 'had either basely complied with King James, or cowardly deserted their country.' The soldiers lived at free quarters, plundering as they pleased, and living in

riot and debauchery.[1] The Irish army itself showed in favourable contrast to the discreditable force which had come, it seemed, for no other purpose than to bring the revolution into contempt. Forty years had passed since Cromwell landed on the same errand. The cause was unchanged, but the men who were its champions were of another breed and soul. In Schomberg's camp 'religion was but canting,' and whoredom and drunkenness the soldiers' natural amusement.[2] The defenders of Londonderry and Enniskillen, few though they might be, were more formidable to Rosen and Tyrconnell than the loose companies of swearing ruffians who were dying of the rot, through their own vices, in the Belfast Hospital.

1690

The situation could not continue. The English Parliament grew impatient. A little more and France, finding James succeed better than had been expected, might throw its whole power into the scale, and Ireland might be irrecoverably lost. Schomberg was so sharply censured that William found it necessary, as Cromwell had found, to take charge of the war in person.

With a fresh army composed of better stuff, though of the same motley materials, he crossed the Channel on 14th June, 1690, and joined the camp at Carrickfergus. Following Cromwell's example, he resolved to strike at once, and with all his force. A few days were spent in reorganizing Schomberg's troops, and then, with 36,000 men, he commenced his march on Dublin. Against the advice of his best officers,

[1] See the very remarkable letter of Dr. George, Schomberg's secretary, to Colonel James Hamilton. Plowden, vol. i. Appendix, p. 45.

[2] Ibid.

BOOK I. 1690

for fresh troops from Brest were daily expected, and Louis was meditating a descent on England in William's absence, which would distract him, and, perhaps, compel his return, James determined to risk an immediate engagement. The Irish, he said, were now confident; he had the advantage of numbers; and to abandon Dublin and retreat as the Council of War advised, might dispirit and divide them.

The action of 1st July, on the Boyne, must be passed over, like the siege of Derry and Enniskillen, with the briefest notice. The result only concerns us here. The Irish, though with every advantage of position, exhibited once more their unvarying inability to encounter the English in the field in their own country. The patriotic ecstasy which had flowed so freely in torrents of rhetoric, congealed at the sound of cannon. They did not even attempt to make a creditable stand. James, who had shown personal cowardice, hid his disgrace in flight, and stole back to France. William advanced to Dublin, but lingered purposely in following up his success, in the hope that Tyrconnell would now throw up the game. Tyrconnell made no sign, and he went on to Kilkenny. His discipline was now as stringent as Oliver's. He saw some of his men once plundering an old woman; he struck one on the spot with his cane, and promptly hanged the whole party. But with the Irish he was studiously lenient. He promised publicly that, if they would lay down their arms, all that had been done should be forgotten. When no response came, he turned westward, made a feeble attempt upon Athlone, passed on, and sate down before Limerick. But he betrayed no intention, and he felt no desire, to break down by violence a people whom, in

his inexperience, he believed it possible to win by indulgent terms. He refused to look upon them as rebels when they were in arms for one whom they regarded as their natural sovereign. He either did not or could not see that the essential enmity was against England, and the English settlement; and he shrunk from pushing a war to extremities, which must then be followed by fresh forfeitures. CHAP. III. 1690

The reality of the situation was obscured by the confusion of political feeling, and instead of ending the campaign promptly and decisively, and reviving Cromwell's policy, which ought never to have been touched, he imagined, as many an amiable person has imagined before and since, that the native Irish had been handled irrationally and cruelly, and needed only kindness to become faithful subjects. Neither should the Irish race be dealt with hardly, if William could help it, nor the Irish religion. James's Parliament had enacted liberty of worship. It would be a shame if the champion of Protestantism was less tolerant than an assembly of Catholics; and he was purposely dilatory, as if to enable them to offer conditions which he could grant. Sir Arthur Ashton imagined that he could hold Drogheda for many months. Cromwell stormed Drogheda the day after his cannon opened on it. The same spirit would have taken Limerick had the spirit been there. But William lingered till the rains forced him to raise the siege; and he returned to England, leaving Tyrconnell another year for reflection. Lord Sidney,[1] Sir Charles Porter, the late Chancellor, and Thomas Coningsby,[2] who had stood by William at

[1] Brother of Algernon Sidney, great grandson of Sir Philip, created afterwards Earl of Romney.

[2] Created Lord Coningsby of Clanbrassil.

BOOK I. 1690

the Boyne and staunched his wound when he was hit, were left as Lords Justices, and were all well inclined to moderate counsels. The army went into winter quarters, and Baron Ginkel remained in command.[1]

Cork was taken from the sea in September, and the south and east of Ireland submitted; but Athlone and all the country west of it continued in Tyrconnell's hands. He held Connaught, Clare, Limerick, and Kerry; and with the sea open behind him, and the Shannon in his front, he trusted to the tide of events in Europe and to possible revolution in England, or at any rate to a continuance of assistance from France. The English Parliament met on 2nd October. Large money grants were necessary for the war with France; the Irish expenses had been enormous; and naturally and inevitably the House of Commons insisted that the cost should not be borne by the English taxpayers; the Irish lords and gentlemen who made a fresh reconquest necessary must pay for it, and a million at least of the estimates must be charged, as in 1642, on the anticipated confiscations. William's disposition to leniency was understood; but there would be no escape from an Act of Parliament; and a bill of attainder was introduced against all who had been in arms.

Confiscations were now complicated with difficulties unknown in earlier times. Estates were mortgaged, charged with settlements, and otherwise encumbered in their tenures. Creditors petitioned, and raised difficulties, and a clause was introduced which would have reduced the compulsory forfeitures by two-thirds, and left the King free to grant what terms he

[1] Godard de Ginkel, one of William's most distinguished officers: created for his Irish services Earl of Athlone.

pleased to those who had not yet surrendered. The House of Commons did not choose to be put off with evasions and excuses. But the bill was stopped in the Lords, to leave William's hands unbound.

The King desired most earnestly to be allowed still to hold out hopes to the Irish of favourable consideration. 'Touched by the fate of a gallant nation, that had made itself the victim to French promises,' says Sir Charles Wogan, 'the Prince of Orange, before the decisive battle of Aghrim, offered the Irish Catholics the free exercise of their religion, half the churches of the kingdom, half the employments, civil and military too, and the moiety of their ancient properties.'[1] Sir Charles Wogan was Tyrconnell's nephew; he affects to speak from personal knowledge, and he adds, that 'these proposals were to have the sanction of an act of Parliament.' If William ever made such an offer, he was promising more than England would have allowed him to perform; but had Tyrconnell possessed ordinary sense, there can be no doubt at all that he might have secured conditions which would have left the Catholics materially unweakened, and free to resume the struggle when a fresh chance offered. When the siege of Limerick was raised, he went to France, attended by Sir Richard Nagle and Chief Baron Rice, to ascertain if he was to have further support. France, unhappily for him and his cause, gave him just so much help as encouraged him to persevere, not enough to give him a serious chance of success. He returned up the Shannon in January 1691, with three frigates, clothes, arms, ammunition, and a little money. Louis, like every foreign ally on whom the

[1] 'Sir Charles Wogan to Swift.' *Swift's Works*, vol. xviii. p. 10, &c.

BOOK I. 1691

Irish have been rash enough to lean, was contented that they should make a brief diversion for him, whatever might be the consequence to themselves.

One more campaign was thus inevitable, with fresh bloodshed and fresh expense. Ginkel's army assembled in May at Mullingar; Mackay brought reinforcements from Scotland; Sir Richard Cox sent some spare regiments from Cork; and Ginkel advanced to Athlone, at the beginning of June, with 18,000 men. The bridge was broken; the Irish were strongly posted on the Connaught side. There were divided counsels in Ginkel's camp and a talk of retreat. It happened that the spring had been dry; the river was unusually low, and could be crossed by wading a short distance off. At six o'clock in the evening of 30th June, when the Irish were in no suspicion of an attack, Mackay waded over with 2,000 men. Covered by the smoke of the muskets, he seized the end of the bridge and repaired it; and before dark the whole army had crossed. The castle capitulated; the Irish fell back among bogs and streams upon Aghrim Hill, five miles from Ballinasloe, and prepared for the final battle which was to decide the fate of the country.

At last they appeared really conscious of the greatness of the stake which was being played for. They were commanded by St. Ruth, a distinguished French officer and a profound and passionate Catholic. Masses were said and prayers offered in all the regiments. St. Ruth addressed the officers as if they were Crusaders engaged in mortal conflict with hell and heresy. Remembering the disgrace of the Boyne, they took a solemn oath not to forsake their colours, and to their honour it must be said that most of them kept their word. Not without reason does the anni-

versary of the battle of Aghrim keep so fresh a hold on Irish memory. If the conquerors look back upon it with pride, that day[1] was also the only one on which the Irish people fought on their own soil, for their own nationality, with the courage which so uniformly distinguished them under other flags and on other fields. CHAP. III. 1691

Sunday, the 12th July, dawned thick and hazy; a damp fog lay spread over the marshes, which did not lift till late in the afternoon. At half-past four, with five hours of daylight remaining, the mist blew off and the English advanced. English properly they were not. English regiments were intermixed with Danes, French Huguenots, Scots, Dutch, Brandenburghers, and Anglo-Irish Protestants, the fitter to try an issue which, however disguised, was an episode in the long European struggle for liberty of conscience.

The battle was long doubtful. The ground was trenched in all directions, and the ditches were lined with Irish sharpshooters, who stood their ground bravely, and again and again Ginkel's columns, rushing forward to close with them, were driven back in confusion. Once St. Ruth believed the day was his own, and he was heard to swear that he would hunt the Saxons into Dublin. Almost immediately after he was killed by a cannon ball. The Huguenot cavalry, led by Henri de Ruvigny, executed a charge, behind which the English infantry rallied. At last, late in the evening, the Irish gave way, broke up, and scattered. Few or no prisoners were taken, and few were reported wounded. Those who escaped

[1] July 12, 1691.

BOOK I 1691

escaped, those who were overtaken were made an end of. Seven thousand men were killed before darkness and rain ended the pursuit.

The wreck of the defeated army divided; part went to Galway, part to Limerick, where the last act of the drama was to be played out. Galway's turn came first. Whether William did or did not make the offer before the battle, which Sir Charles Wogan says he did, that he had instructed Ginkel to wind up the war on conditions easy to the Irish, became evident in the articles of surrender which were allowed to Galway. An English fleet was in the bay, and commanded the approaches from the sea. The town might have been completely invested by land, and compelled to surrender at discretion. Obviously this was not William's desire. The French regiments, and such of the garrison as preferred to continue the struggle, were allowed to march away to Limerick, with drums beating and flags flying. The governor, mayor, sheriff, burghers, freemen, all the inhabitants, or reputed inhabitants, for the word was construed with the utmost latitude, received a free and complete pardon for all offences which they had committed since the accession of James the Second. The officers of the regiments which capitulated, whether present or absent, were secured in the possession of the whole of such estates, as they had enjoyed under the Acts of Settlement. Catholic gentlemen within the walls were permitted to retain their arms; Catholic barristers there were allowed to continue to practise. The priests of the town received protection for person and property; and a promise was given that their religious services, so long as they were conducted in private, should not be interfered with

by the penal laws. Cromwell 'meddled with no man's conscience,' but declared 'that the mass should not be allowed where the English Parliament had power.' William, though himself nominally a Calvinist, had unbounded faith in the principles of toleration, and believed that the Irish temperament was capable of being conquered by generosity.

The surrender of Galway carried with it the submission of Connaught. Limerick remained. It had baffled William the year before. The season was waning, the summer wet, and there had been no second 'massacre of Drogheda' to show that resistance might be dangerous. Ginkel approached at leisure. Tyrconnell, who was in the town, either worn out by fatigue, sick with disappointment, or else poisoned, for this too was suggested, died before he came under the walls, advising the Irish to make peace with so liberal a conqueror, and not to sacrifice themselves any longer to French ingratitude. The fleet came round from Galway and sailed up the Shannon. The same terms were offered which Galway had accepted; but there was a hope for more extended concessions; and Sarsfield,[1] who had succeeded St. Ruth in command, undertook the defence.

Either Ginkel was purposely slow, or else was culpably careless. He arrived before Limerick at the end of August. For three weeks he left Sarsfield's communications open with the county of Clare, and it was not till 22nd September that the town was

[1] Patrick Sarsfield, created Earl of Lucan by James the Second. The Sarsfields were an old Anglo-Norman family of the Pale. Patrick, father of Sarsfield who commanded at Limerick, was one of the Catholic proprietors who were restored to their estates under the Act of Settlement. His eldest son, William, married a natural daughter of Charles the Second.

BOOK I.

completely invested. A parley was then demanded, and Sarsfield named his conditions.

1691

He demanded almost the very concessions which were mentioned by Sir C. Wogan—a general indemnity; a confirmation to the Irish owners of all the estates throughout Ireland, which they had held before the revolution; religious liberty, with a priest in every parish, recognised by the law; the admissibility of Irish Catholics to all employments, military and civil; a full and entire equality with Protestants in every right and privilege, with a promise that the stipulations accepted by Ginkel should be confirmed by an Act of Parliament.

It was obviously impossible that terms such as these could be conceded. William himself might have consented, and an Irish Parliament, elected like that which had met two years before at Dublin, might have been found to ratify them. But the conduct of the Irish in that Parliament had proved that between them and the Protestant settlers there could be nothing, if they were in a position of equality, but an internecine war. Nor could any English Parliament have listened to an arrangement, which would have left the settlers at the mercy of their enemies; the revolt absolutely unpunished; and the English taxpayers burdened with the cost of a reconquest, which at any moment might have to be repeated. Ginkel replied, that although he was a stranger to the laws of England, he was certain that what Sarsfield asked for could not be granted. He had Sarsfield at his mercy, but he declined to push his advantage. In return he drew himself, as a sketch of what might be allowed, the celebrated Articles of Limerick, round which so many heartburnings were to rage.

There was a mystery about these Articles which has been left unexplained. They were accepted by the Irish leaders as sufficient, yet, in the form in which the Irish leaders signed them, they were less favourable than in the draft first offered by Ginkel.[1] The alteration was explained afterwards as an oversight. This only is certain, that William had directed Ginkel generally to grant the utmost that the English Parliament would allow; that, by some means or other, the concessions were at the last moment materially reduced; that Sarsfield signed them in this reduced form; and that William endeavoured afterwards, without success, to restore them to their original state.

The material stipulations, on which the doubts afterwards arose, were these:—

1. That the Roman Catholics of Ireland should enjoy such privileges, in the exercise of their religion, as were consistent with the laws of Ireland, or as they did enjoy in the reign of Charles the Second; the King promising, as soon as his affairs would permit, to summon a Parliament in Ireland, and to *endeavour* to procure the Roman Catholics such further security in that particular, as might preserve them from disturbance on account of their religion.[2]

[1] The allusion will be explained in the next page.

[2] This article, intended obviously to confer religious liberty, might mean much or little, as it was interpreted. The 2nd of Elizabeth, which was still in force, prohibited the exercise of the Catholic religion, and so far the article gave the Catholics nothing. On the other hand, the law of Elizabeth had rarely been acted on. Under Charles the Second the practice had varied. At one time the Catholic Archbishop had been received in his robes at court. There was a chapel and a priest in every parish, where, for the greater part of the reign, mass had been said without disturbance, and Catholics had been sheriffs and magistrates. There had been an interval, however, when the English Parliament took alarm; reli-

BOOK I. 1691

2. The inhabitants of Limerick, and of every other garrison town in possession of the Irish, the officers and soldiers in arms, under any commission from King James, in the counties of Limerick, Cork, Kerry, Clare, Sligo, and Mayo, and—so the words stood in the original draft—*all such as are under their protection in the said counties*, should retain such estates, interests, and privileges, as belonged to them in the time of Charles the Second, or at any time during which the laws of Charles the Second were in force. They should retain their personal property untouched also, and be at liberty to pursue their several trades and professions as freely as before, subject only, they and all other Catholics in the kingdom who made their submission, to take the simple Oath of Allegiance, as modified by the English Parliament.[1]

The sixth article passed a sponge over the plunder and violence which the Protestant farmers and gentry suffered under at the beginning of the war.[2]

So long as the second of these three articles contained the contested words, printed in italics, it conceded nearly all for which Sarsfield had asked. Very many of the Catholic gentry being in the army, were protected as commissioned officers. The estates of most of those who were absent, and yet were com-

gious houses had been closed and priests had been imprisoned. The article might be understood to refer to either of these periods, and convey full toleration, or none at all; while the word 'endeavour,' which might be only a form of courtesy, might also leave an opening to Parliament to refuse its sanction.

[1] 'I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to their majesties King William and Queen Mary.'

[2] See the articles in Plowden, vol. i. Appendix, p. 49. There were forty-two articles in all—thirteen civil and twenty-nine military. The military articles referred to the detailed winding up of the war; the remainder of the civil articles contained particular provisions of no historical importance.

promised in the insurrection, were in the counties thus carefully particularized; and thus it might be said, that nearly every Catholic of consequence, with a disposition to be dangerous, would be covered by the broad vagueness of the word 'PROTECTION.'

Inexperienced in Ireland, and in the spirit of the broad truth that

> He who overcomes
> By force, hath overcome but half his foe,

William was expecting to win by kindness those whom he had defeated in the field, and had studied rather to spare their pride, and not to make their overthrow too complete. The fact, however, was not to be concealed, that in the Articles as signed by the Irish generals the protection clause was not present. The King, in his confirmation of the Articles in the ensuing February, said, that 'the words had been casually omitted by the writer;' that 'the omission was not discovered till the Articles were signed, but was taken notice of before the town was surrendered;' and that 'the Lords Justices, or General Ginkel, or one of them, had promised that the clause should be made good, since it was within the intention of the capitulation, and had been inserted in the rough draft.' He therefore for himself 'did ratify and confirm the said omitted words.'[1]

The deliberate assertion of William ought not to be lightly questioned, yet it is difficult to credit that the accidental omission of a paragraph of such enormous consequence should have passed undetected. The more probable explanation is, that the Lords

[1] 'Confirmation of the Articles of Limerick, February 24, 1692.' Plowden, vol. i. Appendix.

BOOK I. 1691

Justices who had arrived at the camp when the treaty was in progress, narrowed down the King's liberality, and extorted harder terms than he had prescribed or desired.

Once more, in conclusion, the conditional character attached to the first of the Articles was extended to the whole. The Lords Justices and the General undertook 'to use their utmost endeavours that the treaty should be ratified and confirmed in Parliament.' They bound themselves to 'use their endeavours;' more they could not do; and if words had a meaning, there was still reserved to the legislature a power of revision.

SECTION VIII.

CHAP. III.

1691

Had the Articles of Limerick and Galway been carried out in the spirit in which they were framed, it is sometimes pretended that the reconciliation between the English and Irish races, which unhappily remains incomplete, would then have been effected. The allegiance of the conquered would have been given freely to a sovereign who, when they were at his mercy, had forborne to punish them. The past would have been forgotten, and the Catholics, grateful for a toleration which they were conscious that they had not deserved, would have settled down contentedly under a government which left them their religion undisturbed by persecution, and uninsulted by penal legislation.

If I am unable to share this opinion, it is because William's policy, however natural, and for himself, pressed as he was by his difficulties with France, convenient, was but a repetition of an experiment which had been tried many times and had invariably failed. To allow the Irish to manage their own affairs, so far as was consistent with a bare allegiance to the British crown; to interfere and punish when indulgence had produced its unvarying consequences, and then tread over again the same round, in the hope that Ireland had learnt her lesson and would at last recognize forbearance, had been the principle on which Irish affairs had been administered from Henry the Seventh's time downwards, and can be traced distinctly through successive stages of failure, from

BOOK I. 1691

the moment when the Tudor sovereigns first became conscious of their responsibilities for the condition of their dependency. If Ireland was not again in flames for the Pretender, and was now, for the first time in its history, to enjoy a century of political peace, it was because the experience of the past had *not* been thrown away, and the Irish Protestants were less ignorant than William of the country which had fallen suddenly into his hands. Fiercer ages, and nations less humane than the English, would have ended the Irish difficulty by methods which in the end would, perhaps, have been less productive of human wretchedness. Such races as could neither defend their liberty with the sword, nor would submit when defeated to live within the bounds of order, have been transported generally to other lands, or been steadily decimated till the unruly spirit has been broken. William of Orange need have been driven to no such excess of severity, for the main root of Irish disaffection was exposed and visible, and at that conjuncture might have been easily excised.

There were peculiar conditions at that particular moment, such as had never occurred before, and such as have never returned, by the skilful use of which the two islands might have been completely and permanently united.

The conquest first ought not to have been left imperfect. Treaties, however vague, raise claims which if unsatisfied leave festering sores; and had there been a will to do it, the entire untrammelled reduction of Ireland could have been accomplished by William far more easily than by Cromwell. The religious condition of Europe, and the attitude especially of the ally whose assistance Tyrconnell and

James had unsuccessfully called in, would have enabled and permitted the English Government, without real injustice, to have made Ireland a Protestant country. It is conveniently forgotten by Catholic declaimers against the iniquity of the penal laws, that in Catholic countries the laws against Protestants were more severe than any code which either England or any other Protestant country has enforced against Catholics. In Spain and Italy there was no liberty of religion. In France it had just been withdrawn by the revocation of the Edict of Nantes. The existence in those countries of Protestant communities was held inconsistent with the safety of the state. Nonconformists were imprisoned, exiled, deprived of their estates, or put to death. No schools or churches were allowed to them to teach their creeds in; not so much as six feet of ground in which their bodies might rest when dead, if they died out of communion with the Church. Catholic writers express neither regret nor astonishment at these severities, and reserve their outcries for occasions when they are themselves the victims of their own principles. They consider that they are right and that Protestants are wrong; that in consequence, when Protestants persecute Catholics, it is an act of wickedness; when Catholics persecute Protestants, it is an exercise of lawful authority. The modern Liberal finds excuses for the Catholic which he refuses to the Calvinist. He perceives, or thinks he perceives, that in all creeds there is both truth and error, that the essentials are to be found in each, that mistakes of opinion are venial; and he considers that the Protestant in claiming a right to think for himself ought

BOOK I. 1691

in consistency to have allowed the same right to others. He, too, forgets that these Latitudinarian reasonings are of recent growth; that earnest Protestants in past centuries, men of the highest intellectual ability, believed the doctrines of the Catholics to be poisonous lies. To a Sir Isaac Newton the Pope was the scarlet woman of the Apocalypse; and the feeling which made the Protestant an object of horror to the orthodox Catholic, made the Catholic equally detestable to the sincere Protestant. He would have preferred to confine his opposition to reason and conscience; but persecution begat persecution in self-defence; and deprived those who commenced such methods of their right to complain, when their own measure was retorted on them. To inflict penalties on opinion becomes, in some cases, legitimate in the sense that war is legitimate. It is a recourse in good faith to force to determine questions which argument is not allowed to solve.

But, beyond this general excuse, there were features in Irish Romanism which might at that time have justified any government in making a final end of it. At the bottom of every rebellion in that country since the Reformation, were to be found the Catholic bishops and clergy. In the eyes of the Catholic Church the lawful sovereign of Ireland was the Pope. Insurrection was an act of piety; those who fell in it were martyrs; and crime in a holy cause lost its character, and became sanctified. The lines of the two creeds were identical with the lines of loyalty and disloyalty. Irishmen who became Protestants were good subjects, English settlers who became Catholics were drawn into the ranks of the disaffected; and any Catholic sovereign who, before the 18th century, was at

war with England, could calculate with certainty on a party in Ireland to make a diversion on his side. Catholic writers pretend that England was the aggressor in proscribing the mass. In no Catholic country in the world had so much toleration been shown for Protestants, as had been shown to Catholics in Ireland. Each successive provocation had been repaid with larger indulgence, and always with more miserable results. The Act of Uniformity was the law of the land, but Elizabeth never attempted to enforce it beyond the Pale; and within the Pale, by the Catholics' confession, it slept after the few first years. The bloody rebellions of Shan O'Neill, of the Earl of Desmond, and of the Earl of Tyrone, each encouraged by the clergy, each connected with a design to sever Ireland from England, were the rewards of forbearance; yet after each insurrection, and always, save when the country was actually in flames, the successive governors of Ireland were prohibited from meddling with religion. The titular bishops exercised their jurisdiction without interference. The religious orders, friars, monks, and nuns, remained in their houses wherever the Irish chiefs were pleased to maintain them. The parish clergy said mass, first in private houses and castles, and then in chapels and churches of their own. As the country grew more quiet under James the First and Charles, they throve with the progress of prosperity, and had never been more numerous or less disturbed.

The consequence was the massacre of 1641. When it was yet undecided, whether the rising was to be a bloody one, the most ferocious counsels were traced to a Catholic abbey. The civil war, with all its miseries, was protracted by the interposition of the

BOOK I. 1691

Pope; and the fiercest resolutions against peace, and the most determined irreconcilability with England, was with the party of the Nuncio.

During the ten years of Cromwell's government, the priests and their works were at an end. Ireland was quiet, and, had Cromwell left a son like himself, must in another generation have been Protestant. The Restoration brought back the old system. Half, or nearly half, the Catholic gentry were replaced in their estates. The Catholic hierarchy was re-established. Catholic prelates received a quasi recognition from the state, and the Oath of Supremacy was dispensed with as a condition of admission to the service of the state. Protestant Dissenters were prosecuted and imprisoned. Catholics were connived at and smiled upon. At last, when James the Second was meditating the overthrow of English liberty, he turned for help to the Irish Catholics. The whole power of the state, civil and military, was placed in their hands, and they instantly snatched the opportunity for their own purposes. They attainted every Protestant of consequence, and reclaimed the land to themselves; and while they proclaimed liberty of conscience, they took practical measures which would have destroyed the English settlements, and in a few years have rooted Protestantism out of the country.

They appealed to arms to maintain their usurpations, and they failed. The Catholic clergy had proved that, so far as lay in them, Ireland should never be at rest till they had their own way. What was there in the circumstances of Ireland that, when it was once more subdued, the English Government should have hesitated to apply the same rule there, which Louis the Fourteenth was finding necessary for France?

The utmost stretch of toleration cannot reach to the endurance of a belief which makes rebellion a duty, and teaches temporal obedience to some other sovereign as an article of faith. No government need keep terms with such a creed when there is power to abolish it. To call the repression of opinions which had issued so many times in blood and revolt, by the name of religious persecution, is mere abuse of words; while at that time the best minds in England really believed that, besides its treasonable aspects, the Roman Catholic religion was intellectually degrading and spiritually poisonous.

The results to the country, from the attempt at repression which was actually made, lamed as it was by impediments thrown deliberately in the way by politicians, and with the flaw upon it of the breach of promise made conditionally in the Articles of Limerick, prove that with wisdom and firmness the end could then have been completely attained, and Ireland been made a Protestant country as entirely as England and Scotland. Had the Catholic bishops been compelled in earnest to betake themselves elsewhere, had the importation of priests from abroad been seriously and sternly prohibited, the sacerdotal system must have died a natural death, and the creed have perished along with it.

But repression could not go alone. If in so vital a matter the Government interfered with the natural tendencies of the people, it was bound most strictly to give them every other opportunity of real improvement. Industry, in the first place, ought to have been encouraged in all directions by all legitimate means. Infinite wealth was in the Irish soil if only it was cultivated; rare virtues were in the Irish character if only

BOOK I. 1691

it had fair play; and industry was the school in which both might have been developed. England had no natural advantages which Ireland did not share with her. The seeds of trade and manufacture which had been sown by James the First and Cromwell, though blighted by the Navigation Act, were not dead, and if let alone would revive. The persecutions in France were driving out fresh swarms of Protestant artisans to whom Ireland, were trade and manufactures free, would be a welcome home. Scotch and English capital was waiting to flow over there, and workmen, who aspired to better their condition by emigrating, and would prefer a nearer home than America. No country in the world had a more brilliant commercial future opening before her, if the opportunity had been wisely used.

Again; experience had shown, that the form of Protestantism known as the Anglican Establishment, though entitled to remain on equal terms with other reformed communities, ought not to have retained a power of persecuting those who had carried out more thoroughly the principles of the Reformation. The creation of the English mind, arising out of the disposition towards compromise which is so marked an English characteristic, the Established Church had so far failed in England itself, that the legal toleration of Dissent had become a necessity. An assumption of exclusive authority was more mischievous in Ireland, where the conditions of the compromise did not exist, where the Episcopalians formed but a third of the Protestant body, and where there was an enemy to be daily encountered, against whom they were the least effective antagonists. The more robust forms of Protestantism furnish no converts to Popery. Angli-

canism, a limb incompletely severed, remains attached to the old system by veins and ligaments, which allow passage to the *virus* of sacerdotalism ; it has always been the favourite nursery in which Rome has sought and found recruits, and has been singularly ineffectual in making converts in return. A mind sufficiently in earnest about religion to prefer truth to falsehood listens only to teachers who speak with emphasis and certainty, who do not think and say, but feel with warmth and passion. Before a man can persuade others to accept him as a guide, he must know his own mind, and be ready with a Yes *or* No, on the questions with which his hearers are perplexed. On the points which divide Protestant from Romanist, the Anglican answers Yes *and* No. Is there a Christian priesthood? There is and there is not. Is there a real presence in the Eucharist? There is and there is not. Is baptism necessary to salvation? It is and it is not. Such hesitating modes of thought may be prudent and cautious, but they will make no converts. The only Protestants who could make an impression on the Catholic peasantry were the Presbyterians, and it was in them that the strength of Irish Protestantism lay. The bishops had preached passive obedience, had looked favourably on the Catholics, and had been bitter and violent with the Nonconformists. In the day of trial the Nonconformists of the North had been found at their posts. The clergy of the Establishment continued to pray for King James. The least that the Presbyterians had deserved was an ample toleration. If Ireland was to be a sanctuary for Protestant refugees, the utmost possible freedom should have been allowed them ; the more complete the Protestant, the more secured his allegiance to

BOOK I. 1691

England, the less danger of a repetition of the fatal mistake which had driven out the Cromwellians. Repression too, it should have been remembered, could not last for ever. The Catholic peasantry were not to be expelled. Their families could not grow up in Atheism; and, if they were not converted, sooner or later, their liberty must be given back to them. A respite only could be secured at best, and if the opportunity were lost it might be lost for ever.

And there was another matter of scarcely less vital moment. The lands of the Irish chiefs had not been taken from them that they might be owned by noble lords and gentlemen residing the other side of the Channel, and acknowledging no further connexion with their estates beyond receiving rents for them. The theory of attainders rested on the duties attaching to property. If no such duties existed, the penalty was absurd and irrational. The absentee grievance was a very old one, and less easy to deal with than in earlier times. Under the feudal system the responsibility was visible, and the claims of the state were understood and admitted. When the state sold lands to raise money, or allowed men to sell to one another, it became necessarily more indulgent to neglect. But if, on the one hand, London speculators, or crown favourites, could not be prevented from acquiring large estates in Ireland, on the other the entire object of the confiscation was defeated if the population were left unshepherded; or if, for the landlords' convenience, the sons and grandsons of the old owners were left in possession as tenants retaining their local influence, still to all intents and purposes the practical rulers; and of the conquest, no result was left but the annual exasperation of the returning rent-day. An owner-

ship which consisted merely in robbing a poor country of a percentage of the fruits of its industry, was no benefit but a curse; and although it might have been impossible to revive the laws of Henry the Eighth, a wise settlement of Ireland would have included a tax so heavy on all rents sent out of the kingdom, as would have compelled proprietors to sell their lands to others who would make their estates their home.

Lastly, as including in itself every other condition, as, at that time, the warmest object of desire with every intelligent Anglo-Irishman, the separate constitution should have been abolished, the two countries reunited, as Cromwell had designed, and thus, better far than by any separate detailed condition, the Irish admitted to the full participation of every British privilege. So long as there were two centres of political life, and two legislatures, the idea of a separate nationality and of a separate interest, persistently survived; and absenteeism of the most mischievous kind could not be prevented. To the great peers, hereditary statesmen like the Shelburnes, a public career in the larger country was an irresistible temptation. The young barrister, conscious of real powers, could not but prefer the ampler field of Westminster Hall for his energies and his abilities. A man of letters or an artist would be drawn to London as by a magnet. All the influences which could govern healthily and nobly the public tone of Irish life would be lost to her; and the provinces and the capital, the legislature, the learned professions, the arts and sciences—all which constitute the strength and greatness of a nation, would be left to the second best. The nationality itself, perversely maintained, would survive, perpetually conscious of ill-usage,

BOOK I. 1691

deficient in every element of moral health and life, to brood over its wrongs; and the mixed races, the conquerors and the conquered, the Saxon and the Celt, would grow together as they had grown before, in a common interest and common resentment.

Certain principles, easily defined, had they been steadily acted on at the close of the civil war, would have made by this time the woes and the wrongs of Ireland a thing of long-forgotten history.

A complete subjugation of the native faction untrammelled by articles of capitulation.

The resolute exclusion of a Catholic hierarchy, and stringent laws, stringently enforced, against the introduction of priests from abroad.

Entire toleration of all Protestant communities, and an effective system of national education.

Sharp penalties against absentees; a legislative union of England and Ireland; the abolition of the Irish Parliament, the separate government, and the separate bars; and a complete naturalization of all classes of Irish as English citizens.

How England on all these points, treating Ireland as a conquered country which she had no longer occasion to fear, and might therefore safely misuse, deliberately left undone what she ought to have done, —refused the union when Ireland asked for it,—destroyed Irish manufactures,—ruined her trade,—incurred the odium of penal laws while destroying their efficacy—demoralized the entire people—and at last, by the most ingenious complication of mismanagement, exasperated Protestant and Catholic, Saxon colonist and indigenous Celt, into a common revolt, will be told in the following pages.

BOOK II.

CHAPTER I.

THE OPENING OF THE PENAL ERA.

SECTION I.

Sir Thomas Clarges, in a speech in the English House of Commons on the state of Ireland,[1] said, that 'King James's false dice were still played with there.' The question which the politicians asked themselves who had charge of the new settlement was, not what they could best do to re-establish order and industry, but how the dice could so be thrown that they might make their own fortunes.

Marking, as it does, a turning-point in Irish history, the campaign of 1691 is usually considered to have decided beyond reversal the fate of the Irish Catholics; yet the meaning of great events, however legible in their consequences, is often concealed from the actors in them. Notwithstanding Aghrim and the surrender of Limerick, the Lords Justices[2] either doubted their power to hold the Catholics down, or they had received orders to indulge and protect them. Under the terms of the Limerick convention, half the Irish army left the country for France, intending to come

[1] December 14, 1689.

[2] Lord Sydney, Lord Coningsby, and Sir C. Porter.

BOOK II.

back when a new chance offered. The rest returned unmolested to their estates, or were allowed to enter William's service. Coningsby and Porter were credited with having removed the obnoxious clause from the second Limerick Article, which, if sustained, would have left the rebellion unpunished. Yet the loyal colonists were dismayed to perceive that the Catholics were handled as tenderly as ever. Catholic gentlemen who had been in James's army were admitted to, or continued in, the commission of the peace. Catholic officers were taken back into the army, and the oaths were altered to suit their consciences. They swore allegiance in the simple form prescribed by the English Parliament;[1] but the abjuration, which the law equally required, of the Pope's pretended right to interfere with subjects' allegiance, was dispensed with in their favour.[2] The reversals of outlawries, which the war had suspended, recommenced. The disputed clause in the treaty was treated as binding, and Catholics covered by it received their pardons. The army, its wages being in arrear, was again billeted upon the Protestant gentry and the half-ruined farmers. The English House of Commons had insisted that the expenses of the war should be paid, in part at least, out of the sale of confiscated properties. It seemed as if the Government deliberately intended that there should be no properties to sell.

Had there been no Limerick or Galway Articles, 3,921 Irish resident owners would have been liable to forfeiture, and fifty-seven absentees. The estates amounted to over a million plantation acres; their

[1] 3 & 4 William and Mary, cap. 2. *English Statutes.*

[2] 'Articles of Impeachment against Lord Coningsby and Sir C. Porter before the English House of Commons, 1693.'

market value to two millions and a half sterling.[1] The acts of James's Parliament had thrown the whole country into confusion. The old owners had made haste to take possession, and half the properties in the country had changed hands. Commissioners were appointed to hear claims, and reinstate the expelled Protestants. They were accused of showing favour to the Catholic interlopers, and of raising difficulties in the way of the rightful proprietor. Of the lands newly lapsed, a quarter was at once restored to the Catholics under the Articles of Limerick and Galway. Sixty-five great Irish proprietors, whom the Articles could not be made to cover, were reinstated by special favour from the crown. The vast domains of the late King, the grants to Tyrconnell, and the estates of others who were not to be pardoned, were distributed, under letters patent, to courtiers and favourites with the most lavish and indiscriminate generosity.

The secrets of these transactions were imperfectly ravelled out on subsequent enquiry. 'When we touched on this subject,' reported the Parliamentary Commissioners in 1699, 'we found difficulties too great to be overcome, most of these matters being transacted in private.' They discovered, however, that Lord Raby received 2,000*l.* to procure the pardon and restitution of Lord Bellew.[2] Lord Albemarle[3] 'consented to receive' 7,500*l.* from Lord

[1] Exact figures : — Plantation acres, 1,060,792; rental, 211,623*l.*; total value, 2,685,130*l.*, taking a life at six years' purchase, and an inheritance at thirteen.—*Report of the Commission appointed by Parliament to enquire into Irish Forfeitures.*

[2] Walter Bellew, who commanded a troop of horse in Tyrconnell's regiment. His father, created by James the first Lord Bellew, was mortally wounded at Aghrim.

[3] Van Keppel, Lord of Voorst, created Earl of Albemarle by William.

BOOK II.

Bophin for a similar service,[1] and these were but two instances out of many of a similar kind. Considerations of pretended merit were alleged in excuse of grants to favoured individuals. Under a general plea of 'service done' Lord Sydney received fifty thousand acres, and Lord Albemarle a hundred thousand. A hundred and thirty thousand were given to Bentinck, whose deserts were held to be so self-evident that no explanation was so much as offered.[2] Conyngsby, as one of the Lords Justices, rewarded himself handsomely for his official labours, and forty thousand acres were bestowed on Henri de Ruvigny, created by William Earl of Galway. These noblemen had contributed something towards the reduction of the country on which they were quartered so liberally; but credit could be allowed for more doubtful services in favour of those who had private access to the dispensers of the royal bounties. James Corry[3] 'obtained a heavy mortgage and an estate,' 'the considerations mentioned in his letters patent being that his house was burnt, and that he furnished the garrison at Enniskillen with provisions and materials to the value of 3000*l.* at his own expense.' When the commis-

[1] Lord Bophin was not restored, and it is therefore uncertain whether Van Keppel actually received this scandalous bribe. 'In pursuance of this agreement,' says the report, 'a letter was sent to the Lords Justices to go before the Commission of the Court of Claims in favour of Lord Bophin, to have him adjudged within the Articles of Galway. Nothing being done therein, a bill was drawn, to be transmitted to England, restoring Lord Bophin to his estates and blood, the consideration suggested being to educate his children Protestants, and to set his estate to Protestants. The bill was brought into the House of Commons in Ireland, and the House resenting their being used to support a clandestine bargain, rejected,' &c.

[2] Bentinck commanded a regiment at the battle of the Boyne, and behaved well there.

[3] Ancestor of the Earl of Belmore. *See the cover of this Vol. for a contradiction.*

sioners enquired into the merits of this gentleman, it appeared that he had given no assistance whatever to the garrison at Enniskillen; that in the town of Enniskillen 'he had declared publicly, that he hoped to see all those hanged that took up arms for the Prince of Orange;' and that his house had been burnt by the Protestant soldiers as a punishment for his disloyalty.[1] 'The worst case was Lady Orkney's. This lady's sole claim to consideration lay in her being the daughter of Sir Edward Villiers, Knight Marshal of Charles the Second's household, and of Lady Villiers, who had been governess to the Princesses Mary and Anne. To her were given the enormous Irish estates of the late King. To William these estates were represented as worth 5,000*l.* a year. They consisted, in fact, of a hundred thousand acres of the finest land in Munster. The rental was 26,000*l.* a year. The selling value at the time of the grant 332,000*l.*[2]

To King William himself the Irish Protestants were enthusiastically grateful. He had come in person to fight their battle, and he had been wounded in their cause. The descendant of a line of heroes, he was upholding on the Boyne, on the Thames, and on the Meuse, almost alone, the cause for which his great ancestor had given his blood. Wherever he went he freely risked his own life, and he was known to be incapable of being influenced by mean considerations. But he was a stranger in England; of Ireland and Irish history he was utterly ignorant; and he had to rely for information on persons with

[1] Report of the Commission.

[2] Ibid. and see *Parliamentary History*, January 15, 1700.

BOOK II.

whose character and motives he had not leisure to acquaint himself. It was too plain that, notwithstanding all that she had gone through, Ireland was to be again sacrificed. Corruption and interest were to reign supreme. The wound was to be skinned over in the old false way, and Catholic to be still played against Protestant as if 1641 were forgotten, and the Tyrconnell Parliament had never been.

False dice indeed! The cry ran through the country that Ireland was betrayed. It was said that the Articles of Limerick were a trick; that they were invalid till the Irish legislature had sanctioned them, and that sanction they should never have. Anthony Dopping, Bishop of Meath, who had stood up so boldly against James, preached in Christ Church that 'peace with a people so perfidious as the Irish' was childishness. 'They observed neither article nor oath longer than was for their interest.' 'They were a conquered people, and as a conquered people only could they be safely treated.' Dopping's name was struck from the list of Privy Councillors; but the ferment was not allayed. A correspondence came to light between two Catholic bishops in the late reign, showing how determined was the animosity of the Irish against the English, how utterly powerless was the moderate Catholic to control the national fanaticism. The creed made no difference in the opinion of these prelates. An Englishman, whether Catholic or Protestant, was regarded as Ireland's enemy; a Saxon, orthodox or heretic, would rather see Ireland occupied by his own countrymen, of whatever religion, than by the native race. The land, therefore, must be taken back, the alien expelled, and Ireland be Irish once more. Loyal to a Catholic King of England she might be, if

she had her own laws, and if her lands were her own people's. Loyal to England she could never be.[1]

This was the feeling with which the colonists knew that they had to reckon; and to hope that by time or indulgence it would be soothed or obliterated were to those who understood the country the most idle of dreams.

Supplies meanwhile were needed to pay the army; and for this and for other reasons Parliament must now meet. Lord Sydney was appointed Viceroy. Writs were issued for an election, the Catholics being constitutionally disabled by the English act,[2] which made the taking the Abjuration Oath and the Declaration against Transubstantiation conditions of a seat. Little mystery was usually possible with the intended business of an Irish session. The heads of the Government bills were sketched in council, sent to England for approval or alteration, and returned to the council before Parliament began. The feeling of the country was ascertained by conversation, or by direct enquiry; and, for weeks before the opening, the state correspondence was generally filled with discussions of the prospects of the meditated measures.

This time, so little conscious was Sydney or his advisers of the humours which they were to encounter, that not a misgiving was entertained. When the members began to collect in Dublin, they were informed that a bill would be introduced to confirm the Articles of Limerick in the extended form in which the King had ratified them; and that the Acts of Settlement were to be re-enacted, with further concessions

[1] 'Bishop Mahony to Bishop Tyrrell, March 8, 1690.' Printed among the Appendices to Archbishop King's *State of the Protestants.*

[2] 3 & 4 William and Mary, cap. 2.

BOOK II. 1692

to the Catholics. But it was intimated by the Castle officials that there was to be no discussion; 'both measures had been amply considered by the Privy Council; the two Houses were called up only to ratify what was already determined; and, if any scruple was made, there would never again be a Parliament in Ireland.'[1]

The brief and stormy session opened on the 5th of October, 1692. Never had the temper of a public assembly been more profoundly miscalculated. Lord Sydney's speech was short and general. 'The King,' he said, 'had risked his own person to give Ireland quiet; and Ireland, he hoped, would remember in turn the duties which it owed to its sovereign. A country so advantageously situated for trade, and so favoured in its soil, could need nothing but peace and good laws to make it as fertile and flourishing as any of its neighbours.' The address in reply was conciliatory. Both Houses expressed their most hearty thanks to William for delivering them from the Papist tyranny. They passed a Recognition Act with special expressions of gratitude. They admitted, without difficulty, that the kingdom of Ireland was dependent on, and inseparably united to, the Crown of England.[2] An act passed in Charles the Second's time,[3] to encourage the immigration of Protestant French and Flemings, was renewed; an additional clause being attached, giving them the untrammelled exercise of their religion,[4] and the rights of freemen without the disabilities of Nonconformity. So far

[1] 'Account of the Parliament of 1692.' *MSS. Ireland.* Record Office.

[2] 4 William and Mary, cap. 1. *Irish Statutes.*

[3] 14 & 15 Charles II. cap. 13.

[4] 4 William and Mary, cap. 2.

the session went smoothly, but so far only. The pent-up indignation then burst out, and the entire policy of the Government was denounced in a torrent of declamation. The Lower House drew a petition to the Crown complaining of the reversals of outlawries, the misappropriation of the forfeitures, the pardons and protections which prevented Protestants from recovering their farms, the idle and mischievous attempts at reconciling the irreconcilable. If England intended to govern Ireland on these principles, she was not to count on the assistance of the Irish Parliament. William, or William's advisers, conceived perhaps that they, and not the colonists, had conquered the Catholics, and that they therefore were entitled to dictate the concessions which were to make the Catholics into good subjects. The colonists, on whom the immediate peril fell, and who understood well that they must either rule or perish, declined to be consenting parties to so wild a scheme. To ask them, in their present humour, to confirm the Articles of Limerick, was to ask them to sign away their lives. To pass the first article was to give Romanism a legally recognized existence. The second article, with the omitted clause, 'would open a passage to the Papists to repossess themselves of the estates which they had forfeited.' Instead of showing a readiness to confirm the Articles, they required to be told by what means 'the additional paragraph had been maintained.'[1] They quarrelled on every line of the new Act of Settlement. The Government introduced a bill to declare void the acts of the late pretended Parliament. This, it might have been

[1] 'Petition of the Irish House of Commons to the Crown, October, 1692.' *MSS.* Rolls House, Ireland.

BOOK II. 1692

thought, they would accept without objection; but they threw it out, because it proposed that those acts should be simply cancelled; and the Commons 'found it for their majesties' service and the honour of the Protestants of Ireland, to preserve the record of the Irish barbarity, which would have been taken off the file had the bill passed.'

Still more dangerously, they voted that persons commissioned by the Crown to receive the forfeited estates had broken their trust, and had fraudulently diverted them to their own use. They ordered that these persons should be prosecuted, even though they were members of their own House; and, when the Money Bill came on, the immediate object of their assembling, they would not, indeed, 'in the present exigencies of affairs,' refuse a supply altogether; they voted part of what the Government asked; but, as an assertion of independence, they threw out another part, because 'the bill had not taken its rise in their House;' and they carried a vote, that it was the undoubted right of the Irish Commons to prepare their own Money Bills, and not receive them from the Crown. Finally, when the Mutiny Act was presented as of pressing importance, and with a special request that it should be unopposed, they threw out this also, in resentment at the admission of Catholic officers into the King's service.

Instead of the complacent assembly which Sydney had expected to meet, he found himself in the midst of a nest of exasperated hornets. He prorogued the Parliament till the spring with an angry rebuke. Specially offended with the interference with the Money Bill, and unconscious of the sore point on which he was treading, he 'regretted,' he said, 'that

they who were under so many obligations to be loyal should have entrenched on the rights of the Crown in rejecting a bill which had not originated with themselves.' He pronounced their vote to be 'contrary to the laws of their constitution,' and required his protest to be entered in the journals in vindication of the prerogative.

The hereditary revenue was unequal to the current expenses. Without supplies the army could not be paid, and must continue to live at free quarters. Money must be raised in some way, and it appears, from Sydney's language, as if the alternative contemplated by the Government was to govern Ireland directly as a province. The King, he said, must resolve whether the Parliament should meet a second time. For himself he thought the lesson had done them good, and he was willing to try the experiment again; but he was not disposed to yield a step of his own policy. 'If they are as foolish and knavish as they were,' he wrote to Lord Nottingham, 'they must not sit a day.' 'If they are so mad and absurd as not to consent to what is proposed for their own good, if they are afterwards undone, I suppose they will not be pitied.'[1]

About the Catholics he had speedy reason to discover that the Parliament had been wiser than himself. There was this difficulty then and always in schemes of conciliation, that they could not be acted on consistently, and were liable to be continually reversed under sudden alarms. Lord Sydney had invited Catholics into the army. A report rose in the winter of 1692–3, that a French invasion was to be

[1] 'Sydney to Nottingham, Jan. 5 and Jan. 25, 1693.'

BOOK II. 1693

looked for in the spring. At once he confessed himself embarrassed 'with a prodigious number of officers, who, without doubt, would do mischief when it was in their power.'[1] He had wished to extort from the Legislature a formal toleration of Romanism. He found himself within a few months obliged to recommend the suppression of all Catholic convents, schools, and colleges, and the expulsion of the Catholic hierarchy; he issued an order for an indefinite arrest of priests and regulars,[2] and followed it by a warrant[3] for the dismissal of the Catholic officers and the substitution of Protestants.

The mistake which he had made became more apparent from the action of the Parliament in England. The revolution had given a fresh impulse to Protestantism, and revived the traditions of the past generation. The massacre of 1641 was inseparably connected with Irish Popery in every Protestant mind; and, outside the court circle, there was as much impatience at Westminster as in Dublin at the incompleteness with which Ireland was being handled. The complaints which Sydney had silenced were taken up at St. Stephen's, and the Irish grievances were embodied in a second petition, which could be less easily disposed of. The King was reminded of a promise which he had made to reserve the forfeitures for the consideration of Parliament. The Bishop of Meath and Sydney's secretary, Mr. Pulteney, were sent for and examined in committee; and the indigna-

[1] It is uncertain whether he was alluding to officers in the King's army, or to Tyrconnell's officers, who were allowed to retain their estates under the Limerick Articles. In either case the Government policy was equally condemned.

[2] *MSS.* Record Office, Ireland, January, 1693.

[3] May 30. *MSS.* Ibid.

tion went so far that Sir Charles Porter and Lord Coningsby were actually impeached. Coningsby boldly defended himself. Most Protestants, he said, considered that the proceedings now called traitorous had saved Ireland. The Commons decided that there was not matter to sustain a charge of treason; but both his conduct and Porter's were censured as illegal and arbitrary.

The King's Government discovered that they must consider with more courtesy the opinion of Ireland. Sydney was recalled, and the Parliament with which he had quarrelled was dissolved. The first attempt at settlement had failed disastrously. A fresh beginning was to be made with new men; and Sir Henry Capel, a distinguished member of the English House of Commons, raised to the peerage as Lord Capel, was sent over to heal the wounds which had been so recklessly opened.

SECTION II.

BOOK II. 1695

Two years were allowed to pass before an Irish Legislature was again assembled. The Government was embarrassed by want of money, and great questions were left open which the Protestants were eager should be closed. Both sides were disposed to a compromise when their heats cooled down, and the situation could be discussed dispassionately. By judicious handling, by taking into the service of the Crown the favourites of the House of Commons, and by private assurances that their wishes would be considered more respectfully, Capel at last brought about a temper which encouraged him to issue writs for a fresh election. Robert Rochfort, a son of an officer of Cromwell's, and Alan Brodrick, who, in the last Parliament, had led the opposition, were made Attorney and Solicitor-General. Porter was retained as Chancellor, perhaps as a last chance of preserving the wide construction of the Articles of Limerick; but his general policy was discredited, his views were abandoned, and his power gone. The Court had perceived at last that Ireland could be governed only by the Protestant gentry, and with some return to the principles of the rule of the Protector.

The Commons, it was understood, were willing to leave in abeyance 'the sole right' of initiating money bills. In return, the Government promised measures for the repression of the Catholics, which on that side would relieve the anxiety. A new difficulty was now likely to rise from the leaven of Jacobitism

in some members of the Established Church, left behind by the traditions of Bramhall and Jeremy Taylor. The Churchmen had fared no better than the Presbyterians at the hands of the Parliament of James; but, if they feared the Catholics, they hated the Nonconformists. There was a latent wish with some of them that the Catholics might not be weakened beyond a point where the Ormond and Strafford games might be played over again; and that, when the lawful sovereign came back, he might still find a loyal Ireland to bear him up against dissent and revolution.[1]

The ground, however, had been well prepared. Capel was accused of having used undue influence. He appealed to his own Parliamentary life in answer. 'For thirty years he had taken a freedom in voting,' he said, and 'the liberty he claimed for himself he allowed to others.' He had secured, at any rate, the two most formidable opponents. 'Without Rochfort and Broderick,' he admitted that he would have failed.[2] The session opened on the 29th August. The Commons promised in their address, that they would avoid heats and animosities, and do their best to pass

[1] Capel, writing to the Duke of Shrewsbury on the 16th May, 1695, was sanguine that he had removed all difficulties. 'I have,' he said, 'endeavoured with all industry to prepare matters in order to a Parliament, and do really find almost a universal disposition in the Protestants to behave themselves dutifully without insisting on the sole right.'

On the 18th June, the horizon was less favourable. Two bills were coming from England, one for disarming the Catholics, another for 'restraining foreign education.' 'The first,' Capel said, 'if passed will secure the Protestant interest; the other, the Protestant religion in this kingdom. The Irish Papists will be solicitous to overturn any foundation that may be laid for preventing their future rebellions, *and may, perhaps, find Protestant friends here to help them in it.*'—*MSS.* Record Office, Ireland, 1695.

[2] 'Lord Capel to Secretary Vernon, November 23 and December 7.' *Ibid.*

BOOK II. 1695

useful measures, which would give quiet to the country. Money was voted, and 'the sole right' question was not raised. The Articles of Limerick were left unapproached. The King himself, perhaps, was unwilling to precipitate a decision which was sure to be unfavourable. But the objections to annulling the proceedings of James's Parliament were not maintained. It was decreed to have been an unlawful assembly, and its measures to have been void. The Commons consented, in express words, that the journals should be cancelled, and the acts passed there should be erased from the roll, 'that no memorial might remain among the records, of the proceedings of that assembly.'[1]

By an act of Henry the Eighth, which had been revived by Elizabeth, every incumbent in Ireland had been required to keep a free school in his parish for instruction in English; and every diocese was to have its public Latin school. Performance had lagged terribly behind promise. Few parish schools or Latin schools had Ireland seen of Protestant institution. But now at last the dream was to become a reality. The act was revived. The magistrates were directed to see to the obedience of the clergy. The judges on circuit were to report if magistrates were negligent; and, a proper education being thus provided by the state, the Catholics were forbidden to have schools of their own at home, or to send their children to learn disloyalty and Popery abroad, under penalties of outlawry and forfeiture.[2]

The positive part of this act was so gross a mockery, that the prohibition remained necessarily dead. While three-fourths of the benefices in Ireland were without

[1] 7 William and Mary, cap. 3. *Irish Statutes.*
[2] Ibid. Cap. 10.

incumbents, and the stipends of the few who were scattered about the country sufficed barely to keep them alive, to order them to provide schools for the whole population was to order a simple impossibility. As little, so long as there was no substitute within reach, could the Catholics be compelled to leave their children to grow up savages. The Irish Parliament awoke later to a keener sense of their responsibilities in this matter, and nobly redeemed their neglect; till then statutes such as this were worse than idle. Remaining minatory merely, like scarecrows which the birds soon learn to laugh at, they served but to teach the Irish once more a lesson which they had no need to learn, that laws were made to be disobeyed.

A disarming act was more rational and more effectual. The measure which the Catholics, in their day of power, had inflicted on the Protestants was retorted on themselves. By the 5th of the 7th of William and Mary all licenses to bear arms were revoked, and the Catholics were ordered to deliver up whatever guns, muskets, or ammunition they possessed. Lords and gentlemen within the Articles of Limerick were permitted, on taking the oath of allegiance, to retain their swords and pistol-cases, and to keep a fowling-piece to shoot game. This was the sole exception to a measure which implied that from them alone in Ireland was violence to be anticipated. Magistrates were empowered to search their houses. Horses it was assumed that they did not need, except for agriculture; and, therefore, they were forbidden to possess horses above five pounds in value. Any Protestant might demand and take a Catholic's horse from him, on paying five guineas to the nearest magistrate for the owner's use. Finally, gunmakers

BOOK II. 1695

and sword-cutlers, that the very knowledge of the art of making dangerous weapons might be taken from them, were not allowed to receive Catholics as apprentices; and they themselves were required, before practising their trade, to take the oaths of allegiance and abjuration, and subscribe the statutory declaration against Transubstantiation.[1]

On the breaking up of James's army the Tories and Rapparees, from which it had been recruited, fell back to their old haunts and their old work. The forests and mountains were again peopled with political banditti, who carried on a guerilla war against their conquerors. 'Out on their keeping,' as the legal phrase described them, they lived, like their forefathers, on plunder, but on the plunder of the invader. They beset the high roads. They came down at night on the outlying farmer, houghed his stock, burnt his haggard, or cut the throats of himself and his family. To put these villanies down by a regular police was found impossible, 'the Popish inhabitants choosing rather to suffer strangers to be robbed and despoiled of their goods than apprehend the offenders, the greater part of whom were people of the same country, and harboured by the inhabitants.'[2] If Ireland was to be a civilized country brigandage must in some way be ended; and the methods hitherto found effectual were again resorted to. The baronies were made responsible, and the Catholic inhabitants were required to make good any loss or injury inflicted within their boundaries: persons presented by grand juries as 'on their keeping' were to be proclaimed; and, unless they surrendered to take their trials, they were outlawed. To conceal or harbour them

[1] 7 William and Mary, cap. 5. *Irish Statutes.*
[2] 7 William III. cap. 21.

was made felony, and any one who would bring in a proclaimed Tory, dead or alive, might claim a reward of twenty pounds.[1]

These measures formed the most important part of the work of the first successful session of William's Irish Parliament: some wise in themselves; some wise or unwise, according as they were or were not put in force; all natural, however, and, as times went, inevitable, if the Irish Catholics were not to gather courage from the fears of the Government, and venture another rebellion.

One matter only of consequence the House of Commons attempted, which threatened a renewal of the former quarrel. They could not forgive Porter, whom they accused of having been Lord Sydney's chief adviser. The impeachment in England had failed; it was renewed in Ireland, and the Chancellor was accused, by Colonel Ponsonby, of having abused his position to thrust Catholics into the commission of the peace, and to favour them in their suits with Protestants. Porter, after all, had been but the King's instrument. Unusually irritated, William reproached Capel for not having prevented an attack which he interpreted as directed against himself.[2] Capel excused himself by saying, that the first vote against the chancellor had been taken before he had heard that the prosecution was intended. He was, perhaps, wise in abstaining from interference. Porter defended himself in person. The House of Commons decided, by a large majority, that his answers were sufficient; and further difficulty about him was removed by his death in the following year.

[1] 7 William III. cap. 21.

[2] 'Lord Capel to Secretary Vernon, November 23, 1695.' *MSS.* Record Office.

SECTION III.

BOOK II. 1692

Among the Scotch and English settlers in Ireland none had deserved better than the Nonconformists. None had been worse rewarded. When the High Church party went with Ormond and the Kilkenny Council, at the close of the rebellion of 1641, a Puritan army recovered the country to England. The Restoration, which brought back the bishops, brought back the persecutions. The Presbyterian clergy had been suspended or imprisoned. Half the Cromwellian settlers had been driven from the country; and the children of the other half had been flung back, for want of ministers or schoolmasters, into open Popery.

The same story was repeated in 1689. The bishops and clergy of the Establishment prayed for James till William entered Dublin. The Ulster Calvinists had won immortal honour, and saved England half the labour of reconquest, by their share in the defence of Derry. In them there was a vigorous and living power in antagonism to Popery. In the existence in Ireland of free Protestant communities, beyond the episcopal Pale, lay its chief attraction to the Huguenot, the Palatine, and the English Puritan. The full and free equality of privilege which they had honourably earned, it was William's desire to secure to them by law. The tolerant spirit which made him reluctant to interfere with the liberties of Catholics rendered him doubly anxious to protect the rights of subjects who had stood by him when others were found wanting, and whose opinions were virtually his own.

To foreign immigrants the desired liberty had been conceded. Dissenters, on the other hand, of Irish, Scotch, or English birth, were still under the Act of Uniformity, and their position was peculiar. In England the Toleration Act had given them their chapels, but they were excluded by the sacramental test from public employment. In Ireland there was no sacramental test. The Oath of Supremacy had answered the purpose as long as it was maintained; but to the substituted oaths of allegiance and abjuration their objections did not apply. They had become eligible for the magistracy, or for commissions in the army. They could sit in Parliament, or be members of corporations. They were in possession of all their secular rights as citizens; yet, notwithstanding, the exercise of any form of worship, except that of the Established Church, was prohibited under severe penalties.

The King, while personally in Ireland, had shown his opinion of the state of the law, and his recognition of the Presbyterians' services, by assigning a grant to their ministers, out of the Belfast customs, of 1,200*l.* a year—the original of the fund known afterwards as the Regium Donum. The Church authorities refused to hold themselves bound by the pleasure of a prince whom in their hearts many of them still looked on as a usurper. On the return of quiet, Lemuel Mathews, the Archdeacon of Down, took on himself to imprison a Presbyterian minister at Hillsborough for having presumed to preach a sermon. The King had seen the necessity of placing the ministers beyond the reach of the petty Church officials; and, in 1692, Lord Sydney submitted to the Irish Council the heads of a toleration bill, identical with the English, with a view to its being laid immediately before Parliament.

BOOK II. 1692

To unite the Protestant interest in the presence of a common enemy, to avoid the repetition of the worst mistakes of the Restoration, and establish if not intercommunion yet political equality between parties who had fought and suffered for the same cause, was so obviously desirable, that it is hard to see how such a proposal could have been opposed by reasonable men.

It was not only opposed, but opposed with a bitterness of animosity which only the remembrance that the parties to it were ecclesiastics, or under ecclesiastical influence, enables us even faintly to understand. The Irish Established clergy, the Irish peers, and the great landowners were ardent High Churchmen, dreading nothing so much as to be confounded with the Cromwellians, to whom most of them owed their estates; and, though reconciled outwardly to the Revolution by the want of discrimination in James's Parliament, which had not distinguished between them and the Calvinists, yet they were loud as ever against principles of church government which tended, as they were pleased to say, to republicanism.

Though forming but a third of the nominal Protestants, and an eleventh of the entire population, the Church party chose to believe that Ireland was theirs; that it was for them to dictate the terms on which either Catholics or Dissenters should be permitted to abide among them. The Bishops argued that, if they agreed to a toleration act, they must be protected by a sacramental test; Nonconformity must be laid under a ban of some kind; and, if liberty of worship was allowed, the army and navy, the learned professions, and the Civil Service, must be reserved to Churchmen.

From a passage in one of Sydney's letters, it would

seem that he himself shared the prejudices of his order, and that while he submitted to carry out the King's instructions, he loved the Dissenters as little as the Prelates loved them.[1] He received orders to go on with the bill whether the Bishops liked it or not, and though it would have been thrown out by the Lords, it would have been laid before the Commons, and probably, in the existing humour of that House, might then have been carried there but for the altercation which broke up the Parliament. Relieved of this danger, the Bishops pursued their triumph. They regarded the Regium Donum as an intolerable affront. The payment was suspended, and Sir Cyril Wych and Mr. Duncombe, who were associated with Capel on his first arrival as Lords Justices, advised, at the Bishops' instance, that the grant should be discontinued. The King declined to yield to such intemperate bigotry, and, when the Second Parliament met, insisted once more on the introduction of the Toleration Act. The Dissenters belonged chiefly to the middle and lower ranks. They were farmers, shopkeepers, and merchants, and even in the Lower House were feebly represented. But the violent Protestant humour of the first session, which might have shown them favour, had cooled; and as it was understood that the bill would be met in Parliament by a second attempt to impose a test, they appealed to Irish opinion in a general remonstrance. They said truly that without toleration it was vain to expect that Protestant settlements in Ireland could thrive. The

[1] 'Londonderry on the death of the mayor has chosen another that was never at church in his life. It is the work of the Scotch faction. If the King thinks of sending Scotch regiments here, advise him not.'—'Sydney to Nottingham, February 20, 1693.' *MSS.* Record Office.

BOOK II. 1695

Test Act in England had been designed to exclude Catholics. If extended to Ireland, it would cut off one arm from the Protestant interest. They would prefer to remain as they were, they said, liable to prosecution under the Act of Uniformity, rather than be disabled from doing service to their country.

The Bishops, or the Bishop of Dromore as their representative, replied that the Presbyterians were at heart rebels and Covenanters. If they had deserved well in the war, the Royal bounty was reward sufficient for them. To take the sacrament on admission to employment, the Bishop of Dromore called 'a trivial and inconsiderable mark of compliance with the state order;' and he added with pretty sarcasm, 'that Episcopalians were opposed to toleration that they might preserve power to show their tenderness to their Dissenting brethren.'[1] The Toleration Bill was introduced into the Commons. Capel furthered it to the best of his power, but it was lost. The Earl of Drogheda tried to carry the heads of another bill to the same purpose in the Upper House; but the Bishops mustered in strength and defeated him. Bishop King, writing bitterly to a friend in England, in complaint of Capel, who had promoted a Nonconformist to some post of consequence, said: 'If we have such governors put upon us, 'twill be impossible, whatever reason or Scripture be against schismatics, to hinder them from multiplying. Most people value their interest above their religion. If Dissenters be picked out for places of honour, trust, and profit, many will daily qualify themselves as they see their neighbours do.'[2]

[1] Reid's *History of the Presbyterian Church in Ireland*, vol. ii. p. 451.
[2] *Ibid.* p. 456.

CHAP. I.

1694

And in what condition was the Church which was thus determined to assert its sovereignty so peremptorily? Hacket, the Bishop of Down and Connor, who, in Lord Clarendon's time, had been six years absent from his diocese, was residing still undisturbed at Hammersmith, and openly sold his preferments. Clarendon had ordered his return. He had paid no attention. In 1691 the Primate of Ireland applied to Archbishop Tillotson to appoint a coadjutor. The Archbishop discovered difficulties, but recommended that Hacket should be deprived 'for scandalous neglect of his charge.' Two more years passed. The diocese was reported as in hopeless disorder; and, in 1693, the Bishops of Meath, Derry, and Dromore went down as commissioners to examine and punish.

The first offender who fell under their notice was Archdeacon Matthews, the persecutor.

The character of this gentleman may be described by the commissioners: 'Dr. Mathews, as Archdeacon of Down, had four cures without any vicarages endowed, and five cures as Prebendary of Carncastle, in the diocese of Connor. On some of them he never had any resident curates; on others he had only nominal curates, to answer at visitations, but not perform other offices; on others curates altogether insufficient and unfit. Where he had curates he did not allow them sufficient maintenance. Catechizing, visiting the sick, administration of the sacraments, were so neglected, that many left the Church and turned Presbyterians and Papists. To save charge of curates, he corrupted visitation-books, procured the Bishop to unite parishes in perpetuum, chose no churchwardens, usurped the Bishop's office in some

BOOK II. 1694

parts of ordination. As Chancellor of the diocese of Down his misbehaviour had been equally great.'[1]

Matthews was deprived of his archdeaconry and suspended from his other offices. He scraped together what money he could lay hands on and rushed to London to appeal; the Lords Justices thinking it necessary to write to the Archbishop of Canterbury to desire that no favour might be shown to him.[2]

Hacket's case followed. The Bishop was convicted of non-residence and of flagrant simony. He had delegated his authority to women. He had admitted Papists to church livings, giving them false certificates of subscription. He was past improvement. The Commissioners deposed him, and declared the see vacant.[3] Ward, Dean of Connor, was deprived for adultery and incontinence. Mylne, a prebendary of Kilrush, was reprimanded for habitual drunkenness, and suspended for neglect of his duties.

Down and Connor, it may be said, was an exceptional diocese. Scandals had crept in through the Bishop's absence, and when discovered were vigorously reformed. But such exceptions should have ceased to be possible before the Prelates of the Church took on themselves to punish others for doing work which their own officials could leave undone; work, it may be said, which it was impossible in the nature of things that they could ever discharge effectually. The presentations to the great majority of benefices was in the hands of the Government. Irish government patronage, spiritual and secular, ran generally in political grooves, and was disposed of to purchase

[1] 'Report of Ecclesiastical Commissioners, 1694.' *MSS. Ireland*, Record Office.

[2] 'The Lords Justices to the Archbishop of Canterbury.' *Ibid.*

[3] Ibid.

votes in Parliament. A corrupt secretary, if he chose to use his opportunity and distribute Church preferment to his own advantage, was never at a loss for a clergyman who was eager to make a simoniacal bargain with him.[1]

Every parish, according to law, was to have a local school supported by the incumbent. A single instance will show how vainly even the best bishops struggled against abuses which turned the act, as a scheme of national education, into an insult to the Irish people.

Among the waste lands thrown in as makeweights among his other bargains by the Court of Claims in 1652, Sir William Petty had secured the larger portion of the mountains of Kerry. At that time they were covered with forest, and Petty, who had a true genius for turning opportunities to account, had established furnaces at Kilmakilloge on the Kenmare river, at Kenmare itself, and at other spots in the neighbourhood to which ore was brought from England to be smelted. Small knots of Protestants had thus been collected and dispersed over a district where their presence, had they remained there, would afterwards have been of incalculable service. They had cod and ling fisheries, seal fisheries, and a rising trade. The Kenmare colony had been strong enough and spirited enough to sustain a four months' siege in the last rebellion. The first care of a prudent Government would

[1] Secretary Southwell, writing on the 23rd July, 1703, to Lord Nottingham, says:

'The clergy here seem mighty dependent and very great courtiers, for the livings are pretty good and there is a constant expectation of preferment and a very great greediness to obtain. Nay, they hardly scruple offering what they hope will be the most prevailing argument. I am sorry to say it. I tell it only that your Lordship may know something of their humours.'—*MSS. Ireland*, Record Office.

BOOK II. 1702

have been to see that these people were not left uncared for to sink away in the Catholic morass. Petty himself cared little for religion in its spiritual aspect; but he was aware of the money value of Protestant tenants, and of the terms on which they could be preserved. On the Restoration two clergymen were sent into the district, one to Kenmare and Kilmakilloge, another to Templemore and Kilcroghan. The two parishes lay along the opposite shores of the Kenmare river for twenty miles, and the smelting colonies were thus moderately provided for. The rector of Kenmare died in 1673. A Mr. Palmer was appointed to succeed him. The rector of Templemore dying in 1676, a faculty was granted to Mr. Palmer to hold all the benefices collectively, and thus a single clergyman had charge of two groups of parishes divided by an arm of the sea. The water, however, formed a convenient highway at a time when there were no roads. With the help of curates the scattered flocks still received their due attendance, and, in 1689, the furnaces were in full work and the colonies prospering. Mr. Palmer lived till 1701, and the downward progress marks the ebb of the vitality of Irish Protestantism. Tralee is forty miles from Kenmare, the Killarney mountains lying between them; and Kilmakilloge is nearly twenty miles beyond Kenmare. On Palmer's death, Dr. Richards, Dean of Tralee, already overburdened with Church preferments, set his mind upon annexing, in addition, these remote and outlying benefices. He made influence with the Castle, obtained the presentation, and an order with it to the Bishop of Limerick to institute him. With this introduction the following letters from the Bishop of Limerick to Joshua Dawson, the Castle secretary, will tell their own story.

'*The Bishop of Limerick to Joshua Dawson, Esq., Secretary's Office, Dublin.*

'*October* 9, 1702.

'Sir,—This day I received yours of the 6th instant, wherein you mention a former letter which I never received. Dean Richards has imposed on the Lords Justices by telling them that the livings of Mr. Palmer, lately deceased, are contiguous to his deanery. I believe they are at least twelve miles [1] distant from the nearest part of the Dean's livings; and there is, moreover, a great mountain between them several miles over. They are of very great extent, and there is a considerable number of Protestants in them. Dean Richards writes to me to befriend him in his application for these livings; but I sent him word that I did by no means think it proper that he, who had so considerable a cure as that of Tralee to serve, should likewise have so many and large parishes at such a distance from him to serve besides. He offered to allow a curate what I should think fit, but I would not hearken to it. Mr. Palmer's livings will be a handsome competency for some deserving resident incumbent, who shall make it his whole business to serve those cures without any other plurality. The Dean has, besides the parish of Tralee, eight or nine more parishes to take care of, being the corpus of his deanery, and his turn every fifth Sunday in the cathedral of Ardfert to preach besides.'

The Irish House of Commons passed a resolution in 1697, that the non-residence of the clergy with cure of souls in many parts of the kingdom was a great occasion of the growth and increase of Popery.[2]

[1] Twelve Irish miles equal eighteen English.

[2] *Commons' Journal*, December 1, 1697.

BOOK II. 1703

Remonstrances of bishops and resolutions in Parliament weighed little, it seems, against the carelessness or corruption with which the Castle government trifled away the interests of Protestantism. The scattered sheep on the Kenmare river were of less importance than some vote which it was desirable to secure. The Lords Justices sent the Bishop word that Dean Richards must be instituted notwithstanding, and the Bishop could but leave on record his ineffectual protest.

'*The Bishop of Limerick to Joshua Dawson, Esq.*

'*January* 12, 1703.

'Sir,—I received yours of the 5th instant this morning, acquainting me with their Excellencies' design of recommending Dean Richards for Mr. Palmer's livings, to which I can only answer that, since I have used my endeavours to prevent what has been at all times so much condemned, I mean exorbitant plurality of cures, for by the addition of these livings the Dean will have at least fourteen parishes—I am the less concerned—only give me leave to make one observation, that, whereas you say his keeping an able curate will in effect answer the end as well as if those livings had been given to a resident incumbent, we find by experience the quite contrary; and if it were so, pluralities and non-residence would not be so much cried out against as they are. However, I submit to their Excellencies' wisdom, and am very thankful to them for their condescension in expressing their readiness in obliging me on some other occasion.'[1]

[1] 'Correspondence of Secretary Dawson, 1702-3.' *MSS.* Dublin Castle.

CHAP. I.

1703

The Irish Establishment has been reproached for its missionary failures. What chance had an institution so conditioned? With what spirit could the better kind of clergy go about their work, with the poison breath of the Castle thus blighting their endeavours? The Dean of Tralee had his promotion, and the last English service had been heard in the church of Kilmakilloge. The church itself lies a roofless ruin littered with skulls. The smelting colony melted away, till the few families that were left were carried off by French privateers, and the harbour and the bay became the recruiting depot for the Pretender, and a nest of pirates and smugglers.

SECTION IV.

BOOK II. 1697

THE Parliament had commenced a policy of repression against the Catholic religion which could be justified only by a united and determined effort for the regeneration of the kingdom. The steps taken in this direction were so far singularly unpromising. The King was giving away among favourites the lands which should have been settled with Protestants. The Church was oppressing the Presbyterians, the Government was corrupting the Church. The High Churchmen, Peers, Bishops, and Commoners are now to be seen fostering secretly the common enemy in their terror of Whigs and Dissenters.

In both kingdoms the history of these years is woven of insincerity. Irish faction was played off by the English Jacobites as a means of embarrassing the King; and the passions which bred the Assassination Plot, and were blown into fury by its failure, are to be traced working below the surface amidst the intrigues of Dublin politicians. The Irish Parliament reassembled in the summer of 1697. Capel, who had been a sound friend to the true Protestant interest, unhappily died in 1696. Porter succeeded to the government as Lord Justice, but died also in the same winter. Party feeling ran so high that neither the sword nor the great seal could be trusted in Irish hands; and De Ruvigny, Earl of Galway, with Paulet, Marquis of Winchester, were sent to the Castle. Methuen, an English barrister, who had been minister in Portugal, took Porter's place as Chancellor.

CHAP. I.

1697

The King had made up his mind to gratify what he supposed to be the wishes of his Protestant Irish subjects. They had clamoured against the leniency shown to Catholic offenders. He sent over a bill in which he relinquished for the Crown the power of reversing Irish outlawries, and he allowed a clause to be inserted, in the belief that it would be especially grateful, by which the estates of persons who had either been killed in rebellion, or had died in foreign service, were included in the forfeiture. As a yet greater sacrifice he had brought himself to consent, as a price for the confirmation of the Articles of Limerick, that the disputed clause should be withdrawn. When the session of 1697 opened, the Lords Justices were astonished to find that the position of Crown and Parliament were precisely reversed, that while five years before Protestant Ireland was in mutiny on account of the favour shown by the Crown to the Catholics, the House of Lords almost unanimously and a powerful party in the Commons were now inclining to protect the Catholics against the Crown. Mr. Stanley, Lord Galway's English secretary, in despair at the element in which he found himself, declared 'that he had fallen into the most eating, drinking, wrangling, quarrelsome country he ever saw; there was no keeping the peace among them.'[1] An Englishman accustomed to consistency had sufficient reason for finding himself bewildered.

July 27, 1697.

[1] 'Mr. Stanley to Dr. Smith, November 20, 1697.' Smith was Dean of St. Patrick's, but preferred to reside in England. Stanley's letters to him throw additional light on the manner in which Church matters were managed in Ireland. 'Though you used to forget me,' he wrote, 'for a year together in the same town, I have been so careful of your commands at this distance, that I have got those of your favourites made chaplains to my Lord Lieutenant as you desired, Dr. Raymond, Mr. Forbes,

BOOK II. 1697

In the Upper House the opposition was Episcopal and Jacobite. 'There is a greater inclination at present,' reported Lord Galway, 'to favour the Papists here than in England. The Bishops are great sticklers. The Bishops of Killaloe,[1] Killala,[2] and Derry[3] are the leading men that govern the rest.'[4] In the Commons, though the anti-Catholic feeling was vigorous, disgust and indignation at the abuses in the distribution of forfeitures made them look with suspicion on a proposal which would leave more lands for the Government to trifle away. Ireland had not been torn to pieces that fortunes might be made for Countesses of Orkney, and they determined to see their way more clearly before they committed themselves.

When the Outlawries Bill was introduced in the Lower House, exception was taken that the interests of Protestants had not been provided for, who had purchased estates which fell under the act from their supposed owners, or had advanced money in mortgage on them, or were otherwise interested. The omission had been made, perhaps, intentionally by Jacobite influence in England, to ensure the rejection of the bill. The House passed it, but themselves sketched the heads of a supplemental bill to meet the difficulty, which was forwarded to London for approval. On similar grounds

and Mr. Wade. I could not succeed in getting in the whole forty you named, because his Grace has not in all above a dozen, being unwilling to entertain more than he has a prospect of providing for. . . . . I can't but think you in the right to hold your deanery of St. Patrick's in London; I should be glad to hold my secretary's office there too. I hear you have been scribbling. Send me your works as they come out, or you shall be summoned to attend your deanery.'

[1] Dr. Lindsay.

[2] Wm. Lloyd.

[3] King, afterwards Archbishop of Dublin.

[4] 'The Lords Justices to Secretary Vernon, August 31.' *MSS.* Record Office.

they threw out altogether, on the second reading, an act barring remainders in tail to Catholics. The puzzled Lords Justices began to think that the King's concessions to Irish Protestant prejudice had been unnecessary after all. 'We find,' they wrote, 'the interest in favour of Papists so much greater than we expected, that perhaps the bill confirming the Articles of Limerick may not meet with the difficulties we at first apprehended, if the additional article be inserted.'[1] When the Outlawries Bill came before the Peers the opposition was avowed and unambiguous. Living men, who refused allegiance to the reigning sovereign, might equitably be treated as disloyal; but the Bishops, by whom the Lords were wholly controlled, protested against punishing by attainders the families of men who had been killed in the service (as they believed) of their rightful sovereign. They insisted on saving the estates of noblemen whose present loyalty they declared above suspicion; and so determined were they, that the Irish Council found it necessary to withdraw their measure and send the heads of another less sweeping, scarcely concealing their fears that, in the present temper of the Upper House, the second would share the fate of the first.'[2]

[1] 'Winchester and Galway to the Duke of Shrewsbury, August 26, 1697.' *MSS.* Record Office.

[2] 'In the House of Peers the opposition has been much stronger from most of the bishops and some of the temporal lords, whose objection has chiefly been the subjecting such persons to the forfeiture of their estates who shall at any time hereafter be found by inquisition to have died in rebellion. And they have likewise insisted on particular provisoes in behalf of some lords that are now Protestants, who apprehend themselves affected by that bill. We therefore . . . have resolved that a new one shall be prepared, wherein there may remain no ground for the objections that have been made to this . . . . We shall take care that the intended bill be transmitted as soon as may be; and we hope it will be sent back with all convenient expedition, at which time it will be more evident whether the opposition that has been made was only in

BOOK II. 1697

The bill for the confirmation of the Articles of Limerick was introduced next. Taught, perhaps, by the Assassination Plot, William himself no longer desired to maintain the clause over which there had been such angry contention. The omission of it, the Lords Justices said, 'would be very pleasing to the majority of good people;' but they were unable, after their experience with the Outlawry Bill, to foretell how it would be received in Parliament. There were many members of the Lower House who denied that the Catholics were entitled to articles of any kind. There were others who desired to postpone the confirmation altogether till the additional clause could be carried. An opposition combined out of these two parties might, perhaps, be too strong to encounter. Moderation and good sense carried the day. It would have been far better had Limerick been made to capitulate unconditionally; but the conditions which were really promised it would have been unwise and dishonourable to disallow. The Commons passed the Articles deprived of the features which had been surreptitiously introduced into them; but the omission, which secured the passing of the bill in one house, was all but fatal to it in the other.

The High-Flying Bishops were again in the front of the battle. Jacobites at heart, they looked on the Catholics as their natural friends. After a violent

behalf of the Protestants, for we cannot yet be positive.

'The several oppositions which the bill has found here have been no small encouragement to the Papists of this kingdom. They do not scruple to boast and promise themselves the miscarriage of the second bill when it shall be transmitted to England. All, or most of them, design to make application for particular provisoes, which it is our earnest request that their Excellencies will be pleased to refuse.'—'Winchester and Galway to the Duke of Shrewsbury, August 26, 1697.' *MSS.* Record Office.

debate the peers sent a message to Lord Galway, desiring to be informed on what grounds the clause had been left out after being ratified by the King himself. Lord Galway declined to answer. He said that the request was without precedent, and could not be complied with. 'The Lords Justices of England had detained the bill before them,' he said, 'until they had laid before the King all the difficulties which concerned the same; and, after having received his majesty's pleasure, had commanded them to present it to the Parliament with a desire that it might be passed in the present form.'[1]

The third reading was carried, but only by a majority of a single vote. Seven bishops and seven lay lords recorded a protest, which was entered on the journals of the House. These fourteen noblemen insisted that the Articles were not fully confirmed. 'The act, as it passed, left the Catholics in worse condition than they were in before;' 'the additional clause was most material, and several persons who had been adjudged within the Articles would now be excluded from the benefit of them.'[2]

'The Bishops,' wrote the Lords Justices, 'have been extremely mischievous.'[3]

The Outlawries Bill, newly drawn, arrived soon

[1] 'Winchester and Galway to the Duke of Shrewsbury, September 22, 1697.'

[2] See *Lords' Journal*, Ireland, September 1697. The vague wording of the Second Article of Limerick rendered necessary several other definitions, of which the Catholics complained. The preamble admits that 'so much' only of the Articles were confirmed 'as might consist with the safety and welfare of his majesty's subjects in Ireland.'—9 William III. cap. 2. Hence much denunciation of broken faith, &c. The fight, however, it is evident from the Lords Justices' letter, was entirely over the disputed clause. The remaining alterations aimed merely at precision of statement.

[3] 'The Lords Justices to the Duke of Shrewsbury, September 23.' *MSS.* Record Office. Ireland.

BOOK II. 1697

after from England. It contained special provisoes for such peers and gentlemen as the Upper House desired particularly to favour. The Earls of Tyrone and Kerry, Lord Kingston,[1] Lords Lowth, Carlingford, Athenry, and Bellew, Lord Wilson, Patrick Sarsfield, and many others, were exempted by name from its operation. The High Churchmen were obliged to be contented with securing their personal friends; and these exceptions being allowed, the bill was permitted to pass. Tyrconnell, Sir Richard Nagle, and the rest of the leading Jacobites were described in the preamble as having levied war against the King; brought the French, his majesty's enemies, into the realm; murdered and destroyed several thousands of his majesty's good Protestant subjects, for no other reason but for their being of the Protestant religion; and as having encouraged an unnatural rebellion throughout Ireland. All outlawries and attainders on account of the late war, not already reversed, or affecting persons comprehended within the Articles of Limerick, or persons exempted by name in the statute, were declared to stand good for ever, any pardon from the King or his heirs notwithstanding. Papists who had died in rebellion before the peace fared no better; they were adjudged traitors, *ipso facto*, and their estates passed from their families.[2]

Besides the Outlawries Bill two other measures of consequence were carried in the Protestant interest, each of which attempts had been made, with partial success, to defeat in England. By the first Article of Limerick it had been promised that the Catholics

[1] These three were among the seven who protested against the Confirmation Bill.

[2] 9 William III. cap 25. *Irish Statutes.*

should enjoy such privileges in the exercise of their religion as were consistent with the law, or as they had enjoyed in the time of Charles the Second. By the Act of Uniformity the exercise of their religion was forbidden ; but, under Charles the Second, it had been practically connived at. To make the Limerick concessions into a reality it was determined, that the secular priests might remain uninterfered with, saying mass, hearing confession, and performing the other rites of their Church ; while the archbishops and bishops, all officials exercising jurisdiction, and the regular clergy, the members of religious houses in societies, should depart and trouble Ireland no more. A bill for this purpose was drawn by the Irish Council and sent to England for approval. The English ministers, hoping to secure a larger measure of toleration, endeavoured to defeat it by inserting a clause which they trusted would secure its rejection, and had so worded the provision for the suppression of convents and monasteries, as to cover every guild and corporation in the country.[1] The Irish Parliament were too determined on their object to be thus put off. They redrew their bill, sent it again to England, from which this time it was returned unaltered; and a law was passed that, inasmuch as the late rebellion had been notoriously promoted by the Catholic clergy, and the public safety was endangered by the presence of so many of them, the members of the Catholic hierarchy, and the entire staff of Jesuits

[1] It is to be remembered that the Irish Parliament had no power to alter bills that came over from England. They could only accept or reject. On the discovery of a mistake fresh reference had to be made to the English council; and, if a bill came on at the end of a session, the delay in the transmission backwards and forwards was often equivalent to its entire defeat.

BOOK II. 1697

and friars, must take themselves away before the following May; if they returned, or were found in Ireland after that time, they should be held guilty of high treason.[1] The virus of Romanism lay in the religious orders, and in the presence of prelates able to continue the succession. Deprived of these elements it might be left to linger and die at last a natural death.

A second act in the same direction, the first of a long series on the same subject, attempted to provide against intermarriages between Catholics and Protestants.[2] Protestant heiresses had given themselves and their estates to Papists. Protestant gentlemen who married Popish wives, if not converted themselves, had allowed their children to be educated in their mother's faith. The Parliament considered that Almighty God was thus dishonoured, and the Protestant interest prejudiced. Thenceforward a Protestant woman having real property, and married to a Papist, was pronounced dead in law, and her estate was made to devolve on the Protestant next of kin. A Protestant man marrying without a certificate from a bishop or magistrate (and such a certificate was only to be given in case of his marriage with a person of his own faith) was held to have become in law himself a Papist, to lie under all the disabilities of his creed, to be unable to sit in Parliament, or hold any office, military or civil.[3]

[1] 9 William III. cap. 1.

[2] Difficulties were raised ineffectually against this bill also in England. The draft of it was first sent over from Ireland in July. On the 12th the Lords Justices write to the Duke of Shrewsbury:

'Mr. Vernon having acquainted us that in the bill for preventing the intermarriages of Protestants with Papists now lying before the Council in England some things are found exceptionable . . . we do upon enquiry find that bill as it is drawn to be judged very reasonable, and to be much desired by the Protestants of this kingdom.' —*MSS.* Dublin Castle.

[3] 9 William III. cap. 3.

CHAP. I.

1697

Both these measures were unwillingly conceded by William, who, had he been able, would have carried out in Ireland the principles of religious equality which had been adopted into the constitution of the United Provinces. Unfortunately for a good understanding between the two countries, where England was tolerant Ireland was severe. Where England was most jealous and susceptible, Ireland, impregnated with Jacobitism, was suspiciously lenient. The discovery of the Catholic plot for the murder of the King in 1695 had awakened in all classes of Protestant Englishmen a profound indignation. The Parliament, following the precedent of 1584, had passed a bill which, in the event of any such conspiracy succeeding, would defeat the object of it; and an association, originating in the House of Commons, had been signed almost universally throughout England and Scotland, those who enrolled their names binding themselves to stand by one another in defence of the King and English liberty 'against the late King James and his adherents.'

It was thought good to give Ireland the same opportunity of displaying its loyalty.

A bill came over, identical, probably, with the act passed in England[1] 'for the security of his majesty's person,' with a copy of the Association Bond, which the Irish Parliament was invited to ratify. Coincidently with the introduction of the bill, there was laid on the table of the House of Commons a letter, in the handwriting of an officer in James's army, found among Bishop Tyrrell's papers, described as containing 'a project for the extirpation of all the

[1] 7 & 8 William III. cap. 27. *English Statutes.*

BOOK II. 1697

Protestants in Ireland.'[1] The Commons, making no difficulty so far, passed a series of resolutions, to which they invited the Lords to agree. 'The Papists,' they said, 'ever since the Reformation, had endeavoured to subvert the Protestant religion by conspiracies, massacres, and rebellions. They retained the same purpose, and designed, if possible, to separate Ireland from the Imperial crown. Other laws, more stringent, were therefore absolutely required to assure the reformed religion and the connexion of the two realms. The Catholics must be excluded from voting at elections for members of Parliament; the oaths, which were the condition of holding office under the crown, must be exacted more regularly; and a law must be made, that it should be high treason to deny King William to be lawful sovereign.'[2]

The resolutions passed by acclamation. The bill sent from England and the Association Bond were passed also by a large majority, although dissentient voices were found to urge that it was unfair, in a country like Ireland, to exact generally an abjuration of the Papal power.[3]

In the House of Lords the general allegations of the evil intentions of the Catholics were not denied. It was admitted that, if they could, they would overthrow Protestantism, and that stricter laws were

[1] 'Resolutions of the House of Commons, November 19, 1697.' French. *MSS. Ireland.* Record Office. Cf. *Commons' Journals,* November 29.

[2] *Commons' Journals,* Nov. 29, 1697.

[3] 'There were many who spoke against the clause that requires all persons, under penalty of a præmunire, to renounce the superiority of any foreign power in ecclesiastical or spiritual matters within the realm when required by the justices at their Quarter Sessions, and for that reason opposed the bill; but it passed by a majority of twenty-four, and has been carried to the House of Lords.' — 'The Lords Justices to the Duke of Shrewsbury, November 24, 1697.' *MSS.* Dublin Castle.

needed. Individually they subscribed the Association Bond. But a stand was made on the clause, which had been opposed unsuccessfully in the Commons. A motion was made in committee to strike it out; and finally, on a division, a bill, the rejection of which, under the peculiar circumstances, could not but be construed into an avowal of disloyalty, was altogether lost.[1]

To this unlucky vote is to be attributed the consent of England to the measures which immediately followed for the destruction of the Irish woollen manufactures. Ireland, it seemed, was determinately disloyal. Even the Protestant Peers were determined to throw a shield over the inveterate Jacobitism of the High Church men. The only resource, therefore, was to keep her weak and miserable. The deepest resentment was conceived, and was loudly expressed. A letter was addressed to a member of the English House of Commons, making no distinction of creed or race, involving the Irish altogether in a common censure, and expressing a hope that 'the House would make them remember that they were conquered.'[2]

Another chance was allowed to the Irish Parliament to redeem their mistake. Unhappily they added to their offences. The Irish Council were directed to prepare a similar bill for the session of the next year. To soften the objections, some members proposed to exempt such Catholics from the oath as were included under the Articles of Limerick; and, when the heads were sent for revision to England, a clause was added to that effect. The Lords

[1] 'Lords Justices to the Duke of Shrewsbury, November 29.' *MSS.* Dublin Castle.

[2] 'Answer to a Letter from a Gentleman in the Country to a Member of the House of Commons relating to the Trade of Ireland.' London, 1698.

BOOK II.

Justices admitted that if the reasons alleged were of weight, they applied not to the Article men only, but to every Catholic in Ireland: if any Catholic could conscientiously take the Abjuration Oath all might be required to take it; if not, 'it seemed reasonable,' the Lords Justices pleaded, 'that it should not be demanded of any.' They left the decision to England, intimating however at the same time their own belief, that the oath[1] might be taken by every one who was resolved to be a faithful subject.[2]

The English Government was in no humour to consider the tenderness of Irish consciences. The Council struck off the proposed exceptions. They returned the bill in the form in which the Peers had rejected it—to be thrown out again, and this time by the House of Commons. Petitioners were heard in objection at the bar. 'After some hours' debate it was carried by a majority of ten, that the clause enjoining the oath and expressing the penalties should not be admitted.' The eager resolutions went for nothing, where words and deeds so ill corresponded; and, in the eyes of all loyal Protestant Englishmen, the unfortunate country had made a public declaration of Jacobitism.[3]

[1] I, A. B., do swear that I do from my heart abhor, detest, and abjure as impious and heretical that damnable doctrine and position that princes excommunicated or deprived by the Pope, or any authority of the See of Rome, may be deposed or murdered by their subjects, or by any other whatsoever; and I do declare that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, preeminence, or authority, ecclesiastical or spiritual, within this realm.'

By the English act any person might be required by a magistrate to take this oath, and, on refusing, was reduced to the condition of a Popish recusant.

[2] 'The Lords Justices to the Duke of Shrewsbury, August 1698.' *MSS.* Dublin.

[3] Ibid. October 15, 1698. *Ibid.*

SECTION V.

CHAP. I. 1698

THE reconquest of Ireland had cost the English taxpayer nine millions sterling. The lands, out of which he had hoped, in part at least, to be repaid, had been made away with by a corrupt commission under specious pretences of rewards for invisible services, or, if rescued from their hands by the intervention of the Irish Parliament, rescued only to be restored to disloyal noblemen, who would use these recovered opportunities to cause fresh trouble. The last vote,[1] the deliberate refusal of both Lords and Commons to allow a test of allegiance there, which would have sifted the treacherous from the faithful, destroyed the last hope of dependence on the wretched, uncertain, discontented, wavering island; and the murmurs of the English clothiers, who had watched her extending woollen manufactures with cowardly jealousy, found willing and eager listeners. This Ireland, with her harbours and rivers, her unnumbered sheep flocks, fattened on her limestone pastures, producing the finest fleeces in the world, this nest of Popery and sedition, this bottomless morass of expense and confusion, was to lift up its head and prosper, tempt away their capital and their workmen, rob England of the secret of her wealth, her monopoly in the world's markets of the broad cloth, frieze, and flannel trade. Had these purblind commercial politicians known what belonged to their peace they

[1] The vote of the Peers in 1697 decided the commercial fate of Ireland. Had the bill been past in 1698, it is possible, though not certain, that the disabilities might have been taken off.

BOOK II. 1698

would have welcomed the development of Irish industry as a better guarantee against future trouble than a hundred acts of Parliament. No spirit could have more effectually killed the genius of Popery and Jacobitism, or could more surely have provided that Ireland should never again be a burden on the English exchequer, than the growth of trade and manufacture there. The practical intelligence, the fixed and orderly habits, the class of persons who would have been attracted over to make their homes where land was cheap, and waited only for labour and capital to be as rich and fair as their own English counties, these things would have formed the links of an invisible chain, which could never have been broken, to bind the two islands into one. Traders' eyes unhappily can never look beyond the next year's balance sheet. They saw their artisans emigrating. They saw, or thought they saw, the produce of the Irish looms competing with theirs in the home market, in the colonies, and on the Continent. They imagined their business stolen from them, their towns depopulated, the value of their lands decreased, their country itself plunged at last into ruin, all for the sake of that miserable spot which had been a thorn in England's side for centuries.

No language could sufficiently express the emotions of the exasperated English capitalist. The Parliament was called upon to 'make the Irish remember that they were conquered.' They should not be allowed to build or keep at sea a single ship. They should not manufacture a thing except their linen, and their commerce should be so tied and bound, that they should interfere with England nowhere. To block them from the water altogether, even their fishery

'must be with men and boats from England.' Their legislature, of which they made so ill a use, must be ended, and they must be governed by the Parliament of England. So argued English 'common sense.'[1] In vain an Irish apologist replied, that to imagine Ireland's competition could injure England was a dream. The Irish 'seldom sailed further than a potato garden,' and traded but in cows. They 'knew as little of trade and navigation as the American Indian.' They had not five seamen of their nation, and not one ship of their own at Dublin. Such little trade as they had was carried on by English merchants and on English account.[2] Good sense and truth could find no hearing amidst the general clamour. It was not enough that the Navigation Act had destroyed the Irish shipping interest. The export of Irish fleeces to any country but England had been already prohibited; but the restrictions on the sale of the raw material was a temptation to the Irish to work it up at home, and as long as they might export their blankets and their friezes, England's trade was in danger from their competition. The English manufacturers considered it politic and fair to say to them, 'You shall not weave your wool at home at all; you shall not sell your woollen cloth either here or abroad; we will put you under such disadvantages that it shall not be worth your while to supply your own necessities; you shall buy our cloths and frieze to clothe your own backs; you shall sell your fleeces only to us; and, as it is our interest to have it on easy terms, you shall take the prices which we are

[1] 'Answer to a Letter from a Gentleman in the Country to a Member of the House of Commons, relating to the Trade of Ireland. London, 1698.'

[2] Ibid.

BOOK II.

1698

pleased to offer.'[1] In this spirit the English cloth manufacturers addressed themselves to their own Parliament; and Parliament, blinded by ill-humour and prejudice, endorsed their petition, and carried it to the King in language in which the baseness of the motive was disguised faintly under pretence of national interest.

The Peers represented 'that the growing manufacture of cloth in Ireland, by cheapness of the necessaries of life, and goodness of materials, invited Englishmen with their families and servants to settle there. The King's loyal subjects in England apprehended the further growth of it would prejudice the manufactures in England. The trade of England would decline, the value of land decrease, and the number of the people diminish. They besought his majesty to intimate to his Irish subjects that the growth of the woollen manufactures there had been and would be always looked upon with jealousy in England, and, if not timely remedied, might occasion very strict laws totally to prohibit and suppress the same.'

The Commons said that the 'wealth and power of England depended on her preserving a monopoly of the woollen manufactures. They looked with jealousy on the increase of it elsewhere, and must use their utmost endeavours to prevent it from extending.

[1] Hely Hutchinson, in a memorial to the Government in 1779, thus briefly sums up the position: 'We can sell our woollen goods only to Great Britain. We can buy woollen goods there only. If such a law related to two private men instead of two kingdoms, and enjoined that in buying and selling the same goods an individual should deal with one man only in exclusion of others, it would in effect ordain that both as buyer and seller that man should fix his own price and profit, and would refer to his discretion the loss and profit of the other dealer; while, again, other English laws impose a duty on the importation of the manufacture into England equal to a prohibition, which amounts to this, "You shall not sell to us, and you shall buy only from us."'—'Memorial of Mr. Hely Hutchinson to the Earl of Buckinghamshire, July 1, 1779.' *MSS.* Record Office, Ireland.

The Irish were dependent on, and protected by England in the enjoyment of all that they had, and the English Parliament would be obliged to interfere unless the King found means to make Ireland understand its position.'

Both Houses insisted that the Irish woollen trade should cease. The Irish linen manufacture, since there were for the present no rival English interests with which it competed, they were willing to leave untouched and even to encourage. Though no pledge was given, there was an implied compact that the sacrifice of one branch of industry should be compensated by the protection of the other.

The King replied briefly that the wish of Parliament should be carried out, and Ireland was invited to apply the knife to her own throat. Two letters from William to the Lords Justices survive in Dublin Castle, embodying the words of the two addresses, and recommending to the attention of the Legislature there the worst and most fatal of all the mistaken legislative experiments, to which a dependent country was ever subjected by the folly of its superiors.[1]

The Irish Houses, in dread of abolition if they refused, relying on the promise of encouragement to their linen trade,[2] and otherwise unable to help themselves, acquiesced. They laid an export duty of four shillings in the pound on all broadcloths carried out of Ireland, and half as much on kerseys, flannels, and friezes, amounting in itself to a complete prohibition; while, to make assurance more sure, the English Parliament passed an act prohibiting the export out of

[1] *MSS.* 1698. Dublin Castle.

[2] Macpherson, in the *History of Commerce*, says 'that the suppression of the woollen trade was agreed to by Ireland in return for no less than nine millions sterling expended by England in the reduction of Ireland at the Revolution.

BOOK II. 1698

Ireland of either wool or woollen manufactures to any country but England, to any port in England except six on St. George's Channel, and only from the six towns of Dublin, Waterford, Youghal, Kingsale, Cork, and Waterford.[1]

The belief that, with a coast line like that of Ireland, and with a population which they were punishing for disloyalty, such restrictions could really be enforced, was one of those illusions which only the intellect of an English merchant could have entertained. The result of this restriction was to convert the Irish, beyond their other troublesome peculiarities, into a nation of smugglers.

How far England adhered to the linen compact will be told in its place. For the present, Mr. Hely Hutchinson's summary of the story will suffice.

'It is true you promised, in return for the restraints, to encourage our linen manufacture. But how have you done it? By giving large bounties for the making of coarse linen in the Highlands of Scotland—bounties on the exportation of English linen—opening the linen manufacture to all persons without serving apprenticeships, and imposing a tax of 30 per cent. on all foreign linens, which has been construed to extend to Irish printed, stained, dyed, striped, or chequered.'

'Will you,' Hutchinson asked, with prophetic indignation, 'will you have an increased population employed at home, where they will contribute to the wealth and strength of the state; or shall they emigrate to America, where it is possible they may assist in dismembering the British empire?'[2]

[1] 10 William III. cap. 10. *English Acts.* 10 William III. cap. 5. *Irish Acts.*

[2] 'Hely Hutchinson to the Earl of Buckinghamshire, July 1, 1779.' *MSS.* Record Office, Ireland.

SECTION VI.

CHAP. I.

1698

The indignation in England at the rejection of the Security Act had been aggravated by the simultaneous appearance of a book dear to Irish patriotism, by William Molyneux, the member for Dublin, denying the obligation of Ireland to submit to statutes passed by the English Parliament, or to re-enact them unless agreeable to herself. The bitterness with which her commercial prosperity was immediately assailed arose from a belief that Ireland was assuming deliberately an attitude of defiance. The book was fiercely condemned. The House of Commons insisted, in a memorial to the King, that the laws which restrained the Irish Parliament must not be evaded [1] —that Ireland was, and should continue, a dependent country. It is likely they considered weakness and poverty the best securities that could be taken for her submission. Having thus however, with one hand, struck so hard a blow at her welfare, with the other they dragged her, or tried to drag her, out of the slough of intrigue into which she had been tumbled. The want of purpose at the Castle, and the hopeless entanglement of religious and political passions, had left the field wide open to avarice and baseness. The lands available to repay the expenses of the war had melted unaccountably into nothing. Notorious Jacobite peers had recovered their property under the exceptions to the Outlawries Bill. The

[1] *Parliamentary History*, vol. v. p. 1181.

BOOK II. 1698

Court of Claims, undeterred by the exposures of 1693, had gone on with their work as quietly as if nothing had happened. Estates were granted away. Individuals who began with nothing were enormously rich, but the exchequer was empty as ever. Evidently there was no help in Ireland itself; and the House of Commons in England at last, in angry despair, appointed a committee to ravel out the mystery.

The Court of Claims, seeing their end approaching, made the most of the time remaining to them, admitting shoals of Catholics under the Articles of Limerick who had no business there.[1] Slowly, and with extreme difficulty, the seven commissioners traced out the scandalous history. So strongly was the corruption at work that their own body was tainted. When they had drawn up their report, four only of them signed it.[2] Sir Richard Levinge, one of the dissentients, himself a large sharer in the public plunder, and dreading that he might be made to disgorge it, sent in a conflicting statement; and, to damage his companions, charged them with disloyalty.[3] The accusation was looked into in England, and dismissed. Levinge was sent to the Tower for defamation. The House of Commons voted that the four commissioners had conducted themselves with integrity, courage, and understanding;' and the disposition of the forfeitures they considered so disgraceful,

[1] 'One thing seems to us very extraordinary, that more persons were adjudged within the Articles since the commencement of our enquiry than had been since the making of the Articles.'—*Report of the Commissioners appointed by Parliament.* London, 1700.

[2] Francis Annesley, John Trenchard, James Hamilton, and Henry Langford.

[3] Trenchard had described the grant to Lady Orkney as 'scandalous.' Lady Orkney was the late Queen's favourite, and Levinge hoped he could set the King against the report by denouncing Trenchard.

that there was no remedy but to cancel every grant which had been made.[1]

A vote passed on the 18th January, 1700, 'that the advising, procuring, and framing these grants had occasioned great debts and heavy taxes, and highly reflected on the King's honour, and that the officers and instruments concerned in the same had highly failed in the performance of their duty.'[2]

Leave was given to bring in a bill to resume the

[1] Some of the most glaring instances of misappropriation were mentioned in detail. Among other curious features in the story it appeared, that as many of the persons who had applied for and obtained grants of property had purposely understated its value, so in turn they had been themselves cheated by their agents, who, by similar frauds, had tempted them to dispose of lands worth tens of thousands of pounds for as many hundreds.

Of Catholic proprietors who had been in the rebellion, and were covered by no articles, either of Limerick or Galway, many were never informed against; many were tried, but acquitted. The 'freeholders who formed the juries, by contracting new friendships with the Irish, or by intermarriage with them, *but chiefly* through a general dislike of the disposition of the forfeitures, were scarcely willing to find any person guilty, even upon full evidence.'

In Connaught 'the findings were almost what the forfeiting persons pleased.' Forty persons not covered by articles were tried at Galway. There were few Protestant freeholders, and the juries were formed of gentlemen who, most of them, had been officers in James's army, and had been protected by the Galway Articles. All the forty were in consequence acquitted. Mr. Kirwan, who was one of them, had served in a regiment which had been commanded by the foreman of the jury. Even in Connaught there was a difficulty in giving a verdict in the face of evidence so conclusive, so one of the jurors absented himself.

The forfeitures, though in appearance considerable, had been so handled by the Court as to exhibit an actual deficiency, the cost of management being made to exceed the returns either of sale or rent—'a thing,' the commissioners remarked, 'that might appear extraordinary till it was observed that obscure men, who had little or no property before the rebellion, had become possessed of considerable and even very great estates.' The management had been made so intricate that the accounts were purposely unintelligible. The law officers of the Crown, the members of the Court, even the Lords Justices themselves, had feathered their nests out of the spoils. Lord Coningsby, though he escaped impeachment, had richly deserved it.

[2] *Parliamentary History*, vol. v. p. 1214.

BOOK II. 1700

grants for the use of the public, and an address on the subject was presented by the entire House to the King.

Conscious of the integrity of his own motives, and irritated at the seeming reflection on his personal conduct, William replied briefly, that not private inclination, but the obligations of justice, had led him to reward those who had served in the reduction of Ireland out of the forfeited estates there. The taxes and debts of which the Commons complained had been occasioned by the wars on the Continent, and England would best consult her honour by taking the burden on herself.

William was thinking of Sydney and De Ruvigny. The Commons, not forgetting them, but differently estimating their merits, were thinking also of the Countess of Orkney and the English taxpayers. 'Whoever had advised that answer,' they rejoined, in a temper like the Long Parliament's, 'had used his utmost endeavour to create a misunderstanding and jealousy between the King and his people.'

To William's deep mortification, a Resumption Bill was brought in and carried. Every grant of a forfeiture which had been made in the King's name was declared null. In most instances the lands had been resold, the high persons who had been the recipients of the King's bounty not dreaming of seeking a home for themselves in Ireland; but, as the original gift was invalid, the rights depending on it were invalid also. Allowance was made for improvements, and the claims of those who had laid out money on the lands which they believed to be their own were allowed: but the purchase-money the purchasers were left to recover from those to whom they

had paid it; and a significant clause was added to the act, 'that the procuring or passing exorbitant grants by any member of the Privy Council, or by any other that had been a Privy Councillor, to his own use or benefit, was a high crime and misdemeanour.'[1]

To secure the consent of the Upper House, the Resumption Bill was attached to the Money Bill; and the Money Bill was so framed that it must be passed unmutilated, or else rejected. The Lords threatened amendments. The Commons locked their doors, and proceeded to comment more at length on the connexion of the King's bounties with the list of Privy Councillors. Amidst humiliation, rage, and pain, the bill passed, and received the Royal assent. The Irish forfeitures were recovered out of the harpies' talons, and made over to thirteen trustees, to sell to the highest bidder.

Another measure was carried also before the English Parliament separated, which, though immediately affecting England only, became to Ireland an example of the deepest moment, and formed an eventual turning-point in its history. The Catholic clergy, recovering from the first terrors into which they had been thrown by the revolution, still dreaming of changes, unable to part with a vision of a reconciled England, which they had imagined to be on the eve of realization, were again at their eternal work of plots and conspiracies, moving about in contempt of penal laws, and deep in Jacobitism and treason. Heated with their late success, and this time with William's sanction, the Protestant majorities in the two Houses passed the act which formed the model of the Irish act 'to prevent the future growth of Popery.'

[1] 11 William III. cap. 2.

BOOK II. 1700

By the 4th of the 11th of William the Third any bishop or priest of the Roman Church convicted of saying mass, teaching or keeping a school, or exercising any other religious function, was made liable to perpetual imprisonment. A hundred pounds reward was offered for the apprehension of such persons; and, because experience had proved the insufficiency of laws against opinions or acts of worship, without touching more nearly the motives found powerful with the laity, it was enacted further that no person, educated in or professing the Popish religion, who had not, within six months after attaining the age of eighteen, taken the two oaths of allegiance and abjuration, and made the declaration disavowing Transubstantiation, should be capable of inheriting real estate in England. Nor should any Papist be allowed to purchase lands; nor might he send his children to be educated in foreign seminaries. And if any Papist father, having Protestant children, should attempt to punish or coerce them, by a refusal of adequate maintenance, the Court of Chancery should have power to interfere and compel the parent to make such children a sufficient allowance.

The act succeeded in England, and has, therefore, been little heard of. Catholicism ceased practically to exist among us, and has only revived within the memory of middle-aged men. Its companion act failed in Ireland, and has, therefore, been held up as an example of the folly and ineffectuality of religious persecution. Experience, to which the appeal is made so confidently, gives opposite answers in the two countries; and, if the question be argued on broad grounds of justice, the reply must still vary with the conditions of time and place and with the

active principles of the creed proscribed. The imagination of ordinary men is unequal to the reproduction of circumstances other than those by which they are themselves surrounded; and, when the political or moral mischiefs of particular opinions seem to have disappeared, they condemn measures as bigoted and tyrannical which, had their lot been cast in other times, they would have themselves been the loudest in applauding.

The condition of Ireland was not the condition of England. A measure suited for one may, on this ground, have been unsuited to the other; but, if it be argued, that persecution is necessarily unsuccessful, the history of England and Scotland is an adequate answer.

The Catholics, at all events, had no right to complain. They, who had never professed toleration, could not demand the protection of it. To them the same measure only was meted out which they had allowed to others in England while the power was theirs, and which they continued to allow them in other countries, where the power was still theirs. They suffered under no disabilities in Great Britain which Protestants did not suffer under in France, and Spain, and Italy. So long as differences of religion affected the public policy of Catholic and Protestant governments, the English and Irish Catholic was the natural ally of the enemies of the English throne, and as such, in the opinion of the times, a legitimate object of restraint.

SECTION VII.

BOOK II. 1700

POPULAR legislatures may pass laws in paroxysms of emotion, but, unless the emotion is continuous, and unless with the laws they provide an executive to give effect to their resolutions, the interposition may remain after all but a mute and helpless protest. Their sessions end, their indignation dies away, satisfied with what it seems to have achieved. Corruption resumes its sway, and, after a brief pause, the stream falls back into its old channels. The forfeited estates were recovered from the grantees, and, by the Act of Resumption, were to be sold to Protestants, and to Protestants only. The thirteen trustees were selected for their supposed unimpeachable probity; no one was admitted into their number who held office under the crown, who was in any way accountable to the King, who was in Parliament, and, therefore, liable to influence. They entered into possession of estates worth in fee simple nearly two millions; which were to be disposed of at last to the best advantage for the benefit of the nation. Yet either the situation was too difficult for them, or the temptation was too strong. They sate for two years. The rents were consumed by their expenses. The lands were redistributed. Yet, when they were gone, the purchase-money was eaten up by the demand as it arose; and the Protestant claim was defeated or evaded. The trustees displayed, in all their decrees, 'the same manifest partiality for Papists,' which had been so passionately condemned. The spirit which had thrown

out the Security Act continued dominant, 'it being a maxim among all who favoured King James's interest, to serve the professors of that religion whose estates were confiscated for their adherence to him.'[1]

There was no further interference. An attempt to control the affairs of Ireland on principles of probity and uprightness, was abandoned as hopeless; but the estrangement between the two islands was aggravated and the mutual resentment and suspicion; and, more than ever, it became the policy of England to keep her equivocal neighbour poor and helpless. Among the immediate results was an increasing development of absenteeism. In all empires the wealth and intellect of the provinces flow inevitably towards the ruling country, where social life is more agreeable, pleasures more refined, and the openings to ambition more inviting. The absenteeism of Ireland was peculiarly objectionable, for the justification of the forfeitures was the necessity of settling English and Scotch rulers on the soil. That land had become a chattel, to be bought and sold at pleasure, however, rendered the enforcement of residence impossible. The altered circumstances of society threw estates into the market, or made them the prey of political intrigue; and the successful speculator, when his prize was secured, carried the profits to enjoy them where he pleased. Enormous estates had fallen to English companies and capitalists in a country where they never meant to set their foot. Irish noblemen and gentlemen, as, from increasing intercourse, they became conscious of the contrast between the two countries, grew impatient of the wretchedness of their Irish homes, and established themselves in London

[1] Harris.

BOOK II. 1700

or Bath. Ireland was robbed of the men whom she could least afford to lose; and the estates were managed on the terms which would yield the largest profit to the owner with the smallest outlay of attention.

The country was still so insecure that small Protestant tenants could not venture to take farms beyond the margin of the great towns. Protestants who established themselves in the country were men of substance, who could afford to build stone houses that would not burn, and to keep retinues of servants who would act as garrisons against attacks from Rapparees. The land was divided, therefore, into large holdings, often of several thousand acres. They were let at long leases, leases for lives, or leases renewable on fines for ever, persons of capital being unwilling to risk the adventure on any but favourable terms; and the first tenant perhaps, after some unsuccessful attempts at farming and grazing on a great scale, sublet his holdings to Irish peasants, and glided into the position of an independent idle gentleman.

The power of taking these long leases was limited by law to Protestants; but the word Protestant came to be construed loosely, and a second class of great tenantry rose beside the first, members of the dispossessed Irish families, who in their own districts could still rule as chiefs with scarcely a sacrifice of dignity, who lived at the old place, retained the old name, swore an unpleasant oath or two at quarter sessions, or when their leases were being signed, and having complied with the lax requirements which, in the remote parts of the country, were all that could be demanded, troubled themselves no further with

Church or parson, and were bad Catholics without becoming Protestants.

Into the hands of one or other of these two classes of tenants the chief part of the soil of the three southern provinces was now passing.

Those who were really Protestant retained, for a generation or two, their distinguishing character; but, like the Normans before them, they assimilated themselves to their adopted element, as the fish takes the colour of the gravel on which he lies; and the race of Irish gentry, which acquired so marked a notoriety in the last century, began gradually to shape itself; a race noted, among many characteristics, especially for this, that they hated labour as heartily as the Irish of earlier centuries. Everyone who could subsist in idleness set himself up for a gentleman. Everyone who held a farm, which he could divide and sublet, became a landlord and lived on his rents. The land was let, and underlet, and underlet again, till six rents had sometimes to be provided by the actual cultivator before he was allowed to feed himself and his family;[1] while the proprietor and *quasi* proprietor grew into the Irish blackguard, the racing, drinking, duelling, swearing squireen, the tyrant of the poor, the shame and scandal of the order to which he affected to belong.

Of him, however, in his perfection, time was necessary for the full development. At the close of the seventeenth century, there remained in many of the Irish Protestants a leaven of Puritan severity; in the

[1] 'It is well known that over most parts of the country the lands are sublet six deep, so that those who actually labour it are squeezed to the very utmost.'—'Captain Erskine to Mr. Lee (a letter on the Hearts of Steel), April 10, 1775.' *MSS.* Record Office.

BOOK II. 1700

High Churchmen a degree of Jacobitish piety. Thus strangely composed, amidst commercial disabilities, political discontent, religious division, and a blank and menacing future, the society of the period, now injuriously carped at as that of Protestant ascendancy, began to settle into form. A picture of what it was like will be found in the correspondence of Joshua Dawson, the Castle secretary, which is preserved in Dublin, even to his invitations to dinner. French and Palatine Huguenots continued to flow in, having been secured for a time against the penalties of home-grown dissent. Dublin grew rapidly, streets and squares springing up outside the old walls, and Trinity College spreading over its pleasant meadows.[1] The differences with King William were forgotten. He was thought of only as the deliverer from Popery; and the bronze statue was erected in College Green to his immortal memory. Rapparee hunts went on in the Cork and Kerry mountains. Noted Tories were shot like goats among the crags; chance prisoners being ready as ever to save their lives by informing against their comrades; and juries, as usual, refusing to find verdicts when there was the faintest excuse for evasion.[2]

[1] 'Council Notes, January 1699.' *MSS.* Dublin.

[2] Captain Cooper, writing from Macroom, after a picturesque account of a night foray in the hills, says:

'I have taken a Tory, who offers, if I will save his life, to inform against some private Tories, who are at home and in good reputation. We now find the good effect of hanging harbourers, for it was this Tory's foster-father that informed me of his being at his cabin: the dread of being hanged frightened the fellow to this discovery.

'You had an account of the harbourers when Captain Lloyd's soldiers were killed being tried, and that they were plainly proved, especially one Hierley, to have been harbourers. But the landlord of this Hierley, speaking of his character, said he knew him to be a very honest man, because he paid his rent punctually, though probably made from the Tories' robberies; and the landlord's uncle being foreman of the jury, they brought him in not guilty, to the

CHAP. I. 1700

Noted murderers were hung in chains on the high roads, and women were burnt for poisoning. Fairs were established about the county of Dublin, the Archbishop holding his court of pie powder there, and taking toll and custom.[1] The Catholic clergy, undisturbed by the bill for the expulsion of their bishops and regulars, and ostentatiously contemptuous of it, built new chapels in garrison towns, if possible in the face of the barracks.[2] English officers, in spite of test acts and abjuration oaths, attended mass and confession in Galway, and walked in processions among friars and nuns.[3] So directly, so openly the law was defied that, at last, a proclamation was issued, warning the Catholics against presuming too far. To give emphasis to its threats, the Government ordered the actual arrest of a handful of friars; but they were treated so mildly as to invite disobedience. They were either directed to transport themselves, to leave the country, and go where they pleased, or they were placed on board the first ship that was sailing to a Catholic country, and were landed, at the country's expense, at Oporto, Lisbon, or Ostend.[4]

amazement of the court.'—'Captain Cooper to Secretary Dawson, February 23, 1702.' *MSS.* Dublin Castle.

[1] 'Warrant from the Lords Justices, March 18, 1700.' *MSS.* Ibid. Pie powder is pied poudreux, dusty foot, a name for pedlars or other itinerant vendors of wares. The court was held at fairs and markets, where such persons carried on their trade, and dealt summary and immediate justice.

[2] The officer in command at Dingle describes a large chapel as being built there so near the barracks that he believed the object was to have the means of collecting men unperceived, and suddenly overpowering the soldiers. *MSS.* Dublin Castle, 1702.

[3] 'Information of Captain William Davidson, Royal Fusiliers.' *MSS.* 1704.

[4] Even such gentle measures as these were rarely resorted to. I find but six cases entered among the Council notes for the five years following the passing of the Act.

BOOK II.

1700

Life in Dublin was sliding into its modern grooves, with balls and parties, races and gambling-tables, eating, drinking, and duel-fighting among the Phœnix thorn trees. Chancellor Methuen runs into debt and slips away from Ireland, owing 3,000*l.*, and creating scandal and confusion.[1] Young Mr. Harrison, of Armagh, marries a daughter of Secretary Vernon. The young couple spend their June honeymoon on a riding tour through Wales to Holyhead. The bride, on reaching Dublin, eats herself sick with strawberries; and, in her letters to her father, leaves an unconscious record of the state of education in the upper English households.[2]

Joshua Dawson was buying land, draining, building, planting, improving, and providing for his relations out of his official patronage.[3]

[1] 'Mr. Harrison to Secretary Vernon, January 28, 1701.' *MSS.* Record Office.

[2] 'Honored Father,

'I have reseved two of your letters. I should have geven you thanks last Post had I not being ingageed a broad. All the newes wee have hear is a duel betwixt my Lord Shelborn and Couronel Cuningame wich has a occasioned a nagreement of a law suite be twixt them. Wee get yn to our house nex week. I will indever to acqueat myself hear as well as I cane. I am glad my brother nedey [then a midshipman, afterwards the distinguished admiral] is like to be in no danger. I ame glad you have time to go to hadley and to heare you are well. My father (Mr. Harrison senior) is stell in the countre. My mother geves her servis to you and Mr. harreson his humble duty.—I remane your most Duty full Dotter

'Mary Harrison.

'Dublin, July 20, 1700.'

—*MSS.* Record Office.

[3] Secretary Dawson was the one successful member of a large family, and being the most methodical of men of business, has registered and preserved his correspondence with every member of it. Externally he was as decorous as a Quaker; but he seems, like other people, to have had adventures behind the scenes. He appointed his brother Richard, a light-hearted vagabond, to a situation in the customs at Cork. Richard writes to thank him:—

'Dear Joseph—for you shall be no longer Joshua but Joseph—for you, like him, have been the instrument of making such provision for your brothers that the plague of Egypt—I mean want of bread—

CHAP. I.

1700

The great folks, the Lords Spiritual and Temporal, went and came between Dublin and the London season; bishops applying for convoys to Holyhead, and 'a sound vessel for my coach and twelve horses;'[1] peers and judges asking permission to take with them their 4,000 or 3,000 ounces of wrought plate duty free 'for my own use.'[2] The insurrection had ceased to heave, but the death of the Duke of Gloucester and a little later of the King, revived the

has not been able to reach them. You also, like him, live in a prince's court, and manage the affairs of state. I'm now very inclinable to believe the transmigration of souls according to that of Pythagoras, for certainly Joseph's soul has crept into your body; and the very same Joseph which presided in Pharaoh's court is even now in the secretary's office in the Castle of Dublin. I'd fain know if you remember that passage between you and Potiphar's wife, when you left your garment in her hand. 'Twas certainly an unpardonable crime so to treat the lady having so fair an opportunity. Had I been in your place I should certainly have argued the case a little with Marget, and have been elbow-deep in the fleshpots of Egypt. In the first place, my hearty thanks to you for all I have. In the next, may you live as long as Joseph did, and after death be where he is, which shall always be the prayer of yours,

'RICHARD DAWSON.'

The customs appointment did not save the unlucky Richard. 'The fleshpots of Egypt' and the whiskey tumblers of Cork brought him early to his end, and he died two years after in great misery.

The secretary does not seem to have wished to keep his relations too near him. His brother-in-law, Charles Carr, who had taken orders, was sent to an incumbency in Donegal. He, too, writes his gratitude:—

'Dear brother,—Last night I got safe to the famous city of Raphoe. I hope all friends in the little city of Dublin are well. When I have time to look about me you shall have a more particular account of this place, which Haly Paly was so much against the building of. Tomorrow I design for my parish, which is twenty-five miles nearer to the world's end. If you have any service to the man in the moon, or any of his neighbours, I'll hand 'em up a letter for you. The bishop and all friends here give their service to you. I desire you'll send the enclosed to Ballyrothery, and if any letters come to you for me that you'd frank them hither. No more at present, but duty to my mother, and love and service to my sister and wee ones, and wherever else it is due.—Yours most affectionately,

'CHARLES CARR.

'Raphoe, July 14, 1704.'

—*Dawson MSS.* Dublin Castle.

[1] 'The Bishop of Derry to Dawson, July 7, 1704.' *Ibid.*

[2] 'Application to the Viceroy, June 7, 1703.' *Ibid.*

BOOK II. 1700

hopes of the Jacobites. With the accession of Anne, the High Churchmen took courage, and again struck at the Dissenters. Bishop King wrote to London to beg that the Regium Donum might cease. The Presbyterian marriages, hitherto connived at, were declared illegal, and prosecutions were threatened for incontinency. The Presbyterians complained to the Earl of Rochester. The Lords Justices, Archbishop Marsh, and Lord Drogheda replied to Rochester's inquiries, that the treatment of the Dissenters was peculiarly mild. They were of opinion, that if the Bishops should desist altogether from the prosecutions, the Dissenters would be encouraged to make further encroachments on the Church, and their own clergy would be too much discouraged.[1]

[1] 'The Lords Justices to the Earl of Rochester, 1702.' *Clarendon Correspondence.*

CHAPTER II.

FIRST ATTEMPT AT UNION.

SECTION I.

CHAP. II. 1700

THOUGH the name of Cromwell was mentioned only with execration; though all parties in Ireland, Catholic and Protestant, Dissenters and Churchmen, contended with each other which should most passionately denounce the memory of the usurper and parricide, yet in the face of the resentment of England at the efforts of the Irish legislature to assert its independence, the savage retaliation for the refusal of the Security Act, and the miserable prospects which now lay before the dependent kingdom, thoughtful Irishmen began to look back regretfully on one feature of the Protector's policy, and earnestly to desire that it might be revived. The shadow of a separate national existence might gratify their pride, but was dearly bought at the price of national ruin. A second conflict between the two Parliaments might lead to the suppression of their liberties and to military government. Under the short-lived Legislative Union, Ireland had enjoyed free-trade and every advantage of English citizenship. Her disabilities had commenced with the restoration of her constitution; and the more she made her constitution a reality, the more grievous became the burden under which she was crushed. The artisans who had

BOOK II.

1700

been employed in her woollen trade were now leaving her in thousands. Her wool, the most valuable of her products, she was forced to sell to England only, on England's own terms, and was at once robbed of occupation for her people, and of the price which she might have commanded for her raw material, had she been permitted to dispose of it elsewhere. Under such treatment the two countries became daily more estranged. Ireland considered England unjust and tyrannical, England considered Ireland ungrateful and unmanageable. Neither understood the other; neither would make allowance for the other; and, therefore, each went deeper into the courses which most exasperated the other. The interests of Protestantism, the interests of order and liberty, were identical on both sides of St. George's Channel. To England it was all-important that the Anglo-Irish should identify themselves rather with her than with the native race; but she thought herself secure of them, as if for their own sakes they must adhere to the mother country, being unable to maintain themselves without her help. With the same recklessness with which she mismanaged later her other colonies, she was forcing them in self-defence to make common cause with the Celts, among whom their fortunes were flung. The true remedy, could England have seen it, was the abolition of the Irish Parliament, and a political incorporation with Great Britain. The Legislative Union with Scotland was already determined on, the details only requiring to be adjusted. At the accession of Queen Anne, could the English manufacturers have looked beyond their ledgers, a union with Ireland could have been brought about with even greater facility. The Catholics were in

no condition to resist. The Protestants rather regarded their exclusion from the English Parliament as a wrong, than valued or wished to preserve the counterfeit at Dublin. At that time they would have welcomed gratefully a proposal for union, and Irish grievances and the Irish character, bred of separation, would have dissolved into things of history.

A contemporary tract describes, with curious minuteness, the feelings on the subject entertained in Ireland by reasonable and educated men.[1]

The estates of the English settlers 'might be held,' the writer said, 'to belong to England, from the sums of money which England had spent to rescue them from the Irish; and yet, although so closely interested in the welfare of a country which had cost her so dear, England looked on Ireland only as a rival which, if allowed to prosper, might become dangerous. She did not trouble herself to distinguish between the indigenous Celts and the colonists, but regarded them all in the gross as one people, and one people, indeed, they were in the way to become, unless England took more pains to understand the Irish problem.' 'While,' so this writer continued, 'we looked on ourselves as a distinct kingdom with a legislative power within ourselves, we were more ready to forget England and to bandy and side with the Irish. This bred aversion in the English mind, and increased ours to them. We seemed strange and remote to them, a people setting up for ourselves. They looked on us as at a distance. They wished Ireland sunk in the sea, when they might with the same pains have wished it turned

[1] *Considerations concerning Ireland, and particularly in respect of a Union.* Undated, but written evidently immediately before the Irish Session of 1703–4.

BOOK II. 1700

to gold. They regarded Ireland as peopled with men of desperate fortunes, the scum of their nation that had come over with the armies, or with bankrupts and cheats, which had fled thither to defraud their creditors.

'The English colonists, on the other hand, conceived that the mother country had deserted them, left them to shift for themselves, and only intended to repress and keep them low. Having no representatives in the Parliament at Westminster, the wildest calumnies against them passed unanswered there. There was no one to explain the difference between the English and Irish inhabitants; and the one impression was, that they were a disloyal and turbulent people, who could only be rendered harmless so long as they were disabled by poverty.'[1]

Another Irish statesman, writing at the same time and with the same purpose, repeats the charge in almost identical terms, and foretels the same results.[2]

'England,' said Mr. Maxwell, 'had two ways of keeping Ireland; by an army in the hands of Englishmen, or by checking the growth of the kingdom in trade or wealth, that it might not be dangerous. To govern Ireland by an army was dangerous to English liberty. To keep the country poor was to alienate the inhabitants of all persuasions, and leave it open to occupation by foreign enemies. Thus treated, the Protestant colonists were disposed to close with the Irish and set up a separate interest. An Englishman settling among them quickly degenerated. There was scarcely a man who had been seven years in the

[1] *Considerations concerning Ireland, and particularly in respect of a Union.*

[2] *Essay on a Union of Ireland with England,* by Henry Maxwell. Dublin, 1704. This writer was probably the Right Hon. Henry Maxwell, of Finnibrogue.

country, and meant to remain there, who did not become averse to England, and grow something of an Irishman. From the earliest times these influences had been at work, and Ireland had, in consequence, been a constant thorn in England's side. Three times in a hundred years she had required to be reconquered, and was always ready to take side with England's enemies. That the Celtic and the Saxon temperaments were not in themselves incompatible was proved by the example of Wales; and, if the methods which had proved successful in Wales were applied to Ireland, the same result would follow. An Englishman moving to Wales did not forfeit his birthright, or cease to be represented in the English Parliament, and no one grudged him whatever wealth he was able to acquire.[1] When he settled in Ireland he fell under other laws and another legislature. He lost the benefit of trade, and, if less hardly taxed, he was regarded with jealous eyes as a rival and a possible enemy. So long as the separate government was continued there would be disagreement and estrangement, to be followed in the future by more serious catastrophes. The true and complete remedy would be a union. The colonists, when represented in the Imperial Parliament, would no longer

[1] How little intelligent Irish Protestants wished to preserve the local government, how entirely the difficulty was on the English side, appears distinctly from the form of Maxwell's argument. The refusal of the union was one of the Anglo-Irish grievances. 'In reason and equity,' he said, 'Ireland had a better plea than Wales. In reason, because the people of Ireland were the offspring of England, which the Welsh were not; the Irish had, therefore, a better title to a child's portion. In equity, because all the massacres, wars, and desolations that the Protestants of Ireland had undergone had proceeded from the single reason, that they were the bulwark and defence of the English Government in Ireland, which could never be overturned till they were destroyed.'—*Essay on a Union.*

BOOK II. 1703

gravitate towards the Irish, but would rather draw the Irish with them into closer sympathy with England. The moment was favourable. The army and militia were wholly in English hands. Nine-tenths of the land were now held by Protestants of English and Scotch extraction, and under a union would instantly be filled with British immigrants. The loyal population would increase, bringing with them English habits and English interests: while Ireland, admitted to be an integral part of the Empire, with a fair share of its trade, would cheerfully bear her part of the taxation. Her condition, having her own members to speak for her, would be understood. Her wealth, if she became rich, would be English wealth; her grievances would be English grievances; and the trade of dishonest schemers, who, in the severed condition of Ireland, found means of promoting their own ends, would be closed for ever.'[1]

If the present opportunity were allowed to escape, Maxwell foretold, with instinctive sagacity, one inevitable consequence.

'England' he said, 'imagined that she could best govern Ireland by keeping her poor and miserable, and had, therefore, disabled her woollen trade. The manufacture was destroyed. The wool, of which she had enormous quantities, she was compelled to sell only to England, and on England's own terms. England had the monopoly of the European cloth and

[1] *Essay on a Union*, by Henry Maxwell. Similarly the author of *Considerations concerning Ireland* says, 'We all saw, for instance, by what steps this last war grew, but could not prevent it, because we were not allowed a Parliament; and the English Parliament could neither fully understand nor prevent it. Had there been members for Ireland there, and Ireland part of Parliament's province, remedies could have been found in time.'

blanket market, because English and Irish wool were the best in the then known world. The relative price of it in England and Ireland had been fixed as twenty-five to seventeen, and the difference between the English and Irish prices was made up by an export duty in the Irish harbours. Provided England could really secure the Irish fleeces to herself on these terms, she would draw a handsome profit. But the ingenious persons who had made this arrangement had forgotten that French and Spanish wool, if mixed with a portion of Irish, would then produce as good cloth as the best that came from the Lancashire looms. One sack of Irish wool would work up three French sacks; and thus there would be an enormous premium upon smuggling. Dutch, French, and Irish contraband dealers would outbid the English merchants in the Irish market. The coast line was too long and too difficult to permit effectual watching. The coast guard officers would be bribed to look through their fingers. The legitimate commerce would be suspended. The wool would go to France after all. The French would compete with England for a trade of which Ireland would have been robbed in vain. The manufacturers, who were almost all Protestant, would leave a country where there was no longer employment for them. The Scotch, English, and Dutch artisans would return home, or would go to the American plantations. When a nation was oppressed, men of capital and skill were the first to take wing, as Philip the Second found when he ruined Flanders; and Protestant enterprise being thus driven from the field, Ireland must in a few years relapse to the old proprietors, whose natures were better suited to the lazy life of

BOOK II.

grazing and sowing, who submitted unwillingly to the thraldom of England, and who would throw themselves away, as they had always done, upon any Popish Prince who would offer to protect them.' [1]

No prophet ever spoke more accurately, or spoke to deafer ears. Far-sighted political intelligence was set aside as usual by the so-called common sense of practical men. The proposal for a union was looked at askance as a sinister attempt on English pockets, and the fairest opportunity that had arisen since the conquest for bringing together countries which before and after have so sorely tried each other, was deliberately sacrificed to supercilious pride and purblind covetousness.

[1] *Essay on a Union of Ireland with England*, by Henry Maxwell. Dublin, 1704.

SECTION II.

CHAP. II. 1703

In the summer of 1703 Queen Anne's first Irish Parliament was about to assemble for the most eventful session in that country's history. Henry Maxwell, expressing the general sense of intelligent Anglo-Irishmen, had foretold, that, with discouraged industry, and a continued separate political existence, Ireland must inevitably fall back into the hands of the Celts. The minds of the Irish Protestants were set upon a Union. English politicians had determined that there should be no Union. They believed that they could invent means by which Maxwell's prophecy could be defeated, without sacrificing the interests of the Manchester manufacturers. They could not, for their own sakes, allow the country to relapse into a condition, out of which it had been extricated at a cost so severe. As little did they desire it to become strong enough to demand privileges and rights, which they were too jealous to concede . . . The position in which they wished to see Ireland, was that of a dependent province, occupied in growing unlimited wool for the English looms, with the relations of its inhabitants to one another and to England so adjusted, that they could never more be politically dangerous. If they could not eradicate Popery, the Government believed that they could establish a system which would condemn the professors of it to helplessness. But if their intentions may be conjectured from their subsequent conduct, they did not desire the Protestant supremacy

BOOK II. 1703

to be too complete or too immediate. Whatever may have been their previous uncertainties, they had now convinced themselves that the ownership of land must henceforward be Protestant exclusively; yet a Catholic population might still be useful as a check on Protestant encroachment. And Catholic and Protestant could both be held in subjection, if each section of the people were made to feel themselves dependent upon England for protection against the other. They hoped probably, that as time went on, the natural superiority of the more rational form of religion would assert itself, and that Popery would disappear; but, like most English statesmen, they looked to the immediate problems which lay before themselves, leaving future generations to solve their own difficulties. It would be enough for them if they could invent means to escape compliance with the demand for a Union, which would have brought with it commercial equality.

By the English bill for the repression of Popery, no Catholic was any longer able to buy or inherit real estate in England. The disability had been already so far extended to Ireland, that Catholics were unable to acquire lands which had been forfeited there. The intention was now to extend the act to Ireland in all its completeness. The Bill for the Expulsion of the Catholic Dignitaries had been, so far, little more than a form; and a form it might, if desirable, remain. A bill which limited the right of inheriting or buying real property to Protestants, would enforce itself of its own nature; and, after a generation or two, must destroy the last hold of Catholic owners on the soil of their fathers.

The preparations for this remarkable commentary

on the Articles of Limerick were inaugurated with due solemnity. The Duke of Ormond, fresh from his glories at Vigo, and decorated with the thanks of the House of Commons, was sent over as Viceroy. His greatness cast a lustre on his country. His appointment was a compliment which might stand in lieu of more essential concessions, and by his rank and personal influence he was expected to overbear opposition.[1] The heads of the bills which were to form the subject of the business of the session, were carefully considered by the Irish Council through the summer.[2] Six measures which Sir Edward Southwell, the Irish Secretary, described as most useful, and which 'he knew to be most acceptable,'[3] were sent over in June for the formal sanction of the English Council. The first was an extension of the bill already passed to prevent priests from coming into Ireland from abroad. 'The act of the last session,' Ormond wrote, 'extended only to dignitaries and regulars; but it being found by experience, that secular priests, educated beyond sea among her

[1] His influence was scarcely sufficient, great as it was. Sir Edward Southwell, the Irish Secretary, writes on the 25th September —''Tis a miserable fatigue we are under; we are forced to use a great deal of claret, and a great many arguments, and all little enough. There is a most strange mixture of Scotch and fanatical principles which sours the mass. They are jealous of everything, and, were it not that my Lord Duke has a great personal interest, and many are ashamed to deny him whom they have talked themselves into, nothing at all would be done.'—'Southwell to the Earl of Nottingham, 25th September 1703.' *MSS.* Record Office, Ireland.

[2] To soothe Irish sensitiveness, Ormond allowed the Council to discuss the form in which the Money Bill should be presented. He wrote to Nottingham to excuse himself. 'The reason why I did it,' he said, 'was to let them believe it was their own act, and that nothing of this had been agreed on in England, the people here being jealous that everything is already agreed on there.'—'Ormond to Nottingham, June, 1703.' *Ibid.*

[3] 'Southwell to Nottingham, June 12.' *Ibid.*

BOOK II. 1703

majesty's enemies, did imbibe their sentiments, and at their return did become incendiaries to rebellion, it was conceived necessary to prohibit their return, and the new act was, in fact, but to reinforce a good law already in being against foreign education.'[1]

The second of the bills of the acceptableness of which the Secretary entertained no doubt, was the notorious one, 'to prevent the further growth of Popery.' There is, and there was at the time, an impression that this too celebrated act was the work of the Irish Parliament; that the English Government consented against their better judgment, and would have preferred it to reject it altogether. Nottingham, perhaps, was not unwilling that such an impression should go abroad; but the correspondence of the Lord Lieutenant and the Secretary tell a different story.

The principle of the bill had been recommended from England. The heads, as first drawn by the Irish Council, were modelled immediately on the pattern of the English Popery Bill and the English act providing for the disposition of the forfeited estates; but the model was departed from in one material point. The object was confessedly to prevent Popery from recovering its lost ground, by a law, 'to punish those who seduced others, or were seduced themselves from the Protestant religion,' a law 'to prohibit Papists from disinheriting or injuring their Protestant children;' and a law 'to prevent estates, already in the possession of Protestants, from descending to

[1] 'The Lord Lieutenant and Council of Ireland to the Earl of Nottingham, June 26th.' *MSS.* Record Office. This act was apparently carried unaltered. It placed secular priests coming from abroad into Ireland on the same footing as regulars. *Irish Statutes*, 2 Anne, cap. 3.

[2] 1 Anne, cap. 32.

Catholics;' in other words, to prevent Catholics from inheriting or purchasing such estates.

In this condition the heads were sent over. The Privy Council immediately observed, and in writing to the Lord Lieutenant appear to have severely commented on, a very considerable modification of the English precedent. The English act disabled Catholics from inheriting or purchasing lands anywhere or from anyone. The prohibition in the Irish heads extended only to lands belonging to Protestants. The change had been made intentionally. Nine-tenths of Ireland being Protestant, the Irish Council had designedly left the Catholics free to inherit and purchase from one another.

To those who consider such acts indefensible in any form, the difference will seem small. It is of importance, however, as showing the respective attitudes of the two governments towards the question. The Irish Council, with a pattern set before them to work from, departed slightly from it in the Catholic interest. The English Council complained. The Irish Council answered, 'that if the Queen and Council in England desired to make the act co-extensive with the English act, they had no objection.'[1]

In another direction the Irish Bill was harsher than England desired. 'Limerick and Galway being in great part inhabited by Papists, and having been in all rebellions of fatal consequence to the English,' a provision was introduced that, with the exception of twenty merchants at each place, to be licensed by the Government, no Papist should for the future 'dwell or inhabit' in either of those towns.[2]

[1] 'Remarks in the Irish Council on the Bills returned from England.' *MSS.* Record Office.

[2] 'Lord Lieutenant and Council to Nottingham, 26th June.' *Ibid.*

BOOK II.

1703

To this clause, as directly contradicting the Articles of Galway and Limerick, Ormond anticipated that exception would be taken. He said that he would have prevented the insertion of it, had he been able.[1] The Irish Council, however, insisted that they were the strongest places in the island; that Limerick had endured two sieges in each rebellion, and on each occasion had cost a year's war and half a million of money. They might have added, had they not shrunk, perhaps, from an inconvenient allusion, that it had cost also a treaty, which, though it ought never to have been signed, yet existed as a fact, and had been confirmed by Parliament.

The bill went to and fro several times between the two Councils before it settled into the form in which it was to be laid before the Irish Legislature. There was general soreness of feeling, soreness about trade, soreness about the conflict of jurisdictions, soreness about the growing Pension List.[2] Objections were raised on both sides. On the purchase and inheritance question England desired that the act should correspond with the law passed in her own Parliament for the Irish forfeited estates, placing them out of reach of Catholics by any means and for ever more. On other points the Irish Protestants desired more severe restrictions than England would grant. A clause was proposed for instance which, in the eagerness to protect

[1] Other intended clauses he objected to successfully. 'The clauses,' he wrote, 'concerning Galway and Limerick, I believe, you may think hard and inconvenient; but I could not conveniently hinder it. There were several other things offered in that bill, which I prevented putting in, but those I could not well have done. The others were very hard indeed.' It is plain, from the tone of Ormond's letter, that *in some directions* England wished the bill to be lenient. —'Ormond to Nottingham, 29th June.' *MSS.* Record Office.

[2] 'Southwell to Nottingham, 17th July.' *Ibid.*

the Protestant children of Catholic fathers, would have prevented Catholics from selling their estates under any circumstances, and would have reduced them universally to the position of tenants for life.[1] At last, as if in the hopelessness of agreement, or from a wish to evade responsibility, the Privy Council sent a general sketch of what they desired or were prepared to allow, and left the Irish House of Commons to draw the heads for themselves after the session had commenced.[2]

September at length arrived, the session opened, and business began. Ormond, in the speech from the throne, intimated that there was an opportunity of passing laws which might tend greatly to the establishment of the Protestant Religion. On the subject of which the minds of his hearers were most full, the social prospects of Ireland, and the union of the three kingdoms, he was silent. Both Houses responded loyally; but the Secretary anticipated a stormy session.[3] The Commons were

[1] The Irish Council deprecated this interpretation. 'The bill,' they said, 'is not intended to hinder Papists from selling *bonâ fide*, but to restrain them from selling purposely to defeat their Protestant heirs, and therefore 'tis referred to a Court of Equity to examine the circumstances of the case, and determine accordingly; it being impossible to prescribe any other rule which may be suitable to so many different cases.' —'Remarks in the Irish Council on the Notes upon the Bill returned from England.' *MSS.* Record Office.

[2] On the 22nd July, Southwell writes:—'As to the bill against Popery I find many objections occur to the attorney and solicitor. 'Tis certainly very hard to draw such a bill where many severe things are enacted, and to be able to distinguish or except cases that deserve compassion; and if that Bill is not thought fit to pass, since what is here desired is expressed therein, and that the House here will certainly begin such a bill, it would be of service before that time to have some hint or information how far the Council of England would think proper to come up to in such a Bill.'—'Southwell to Nottingham, July 22.' *Ibid.*

[3] 'I wish we may get through

BOOK II.

1703

occupied for some days in hearing petitions from Protestant sons of Catholic gentlemen threatened with being disinherited; expelling Mr. Asgill, the member for Enniscorthy, for having written a heretical book,[1] denouncing the forfeiture commissioners for having reflected scandalously on the Protestants of Ireland,[2] and appointing committees to consider heads of bills. On the 29th they voted an address to the Queen, protesting against the suspicion that they wished to make Ireland independent, and declaring their entire conviction that their welfare depended on the maintenance of the connexion with England. On the 4th of October Southwell wrote 'that the Commons had sate that day to consider the state of the nation; and, after some hours sitting and considering the many misfortunes the country lay under in point of trade and other circumstances, all the speakers concluded that they did in most earnest manner desire a Union with England.' There had been no intemperance, or declamatory passion. The Secretary was forced to acknowledge, in spite of himself, 'that the temper and good dis-

as we are. We found them mighty hearty and frank before they were chosen; now they begin to look angry, and forget what they promised.'—'Southwell to Nottingham, September 25th.' *MSS.* Record Office.

[1] Curiously, Asgill was expelled from the English House of Commons four years later on the same ground, and for the same book.

[2] They resented especially the charge of favouring the native Irish. On the 24th September they passed a resolution, 'That the Protestant freeholders of this kingdom have been falsely and maliciously misrepresented, traduced, and abused as persons that, through length of time, and contracting new friendships with the Irish, or interpurchasing with one another, but chiefly through a general dislike of the disposition of the forfeitures, are scarce willing to find any person guilty of the late Rebellion even upon full evidence; and that such a representation has been one of the great causes of the misery of this kingdom.' *Ibid.*

position of the debate surprised most people, the loudest grievances being touched with all the true sense, but at the same time with all the true disposition, as if they desired nothing more.'[1]

So real were the grounds of complaint, so just the demand which was based on those complaints, that the House was disposed to assert its powers in the form in which alone it could command attention. The Government had asked for supplies for two years. A party, led by the Speaker, Solicitor General Brodrick, insisted that, unless their remonstrances received attention, the money vote should pass for one year only; and, after a hot debate, the Castle had but a bare majority of 122 to 119. The Pension List, a running sore and a scandal for a century, was brought up and sifted. The Crown regarded the hereditary revenue as private property, which it might bestow at pleasure irresponsibly for good or evil. On the Irish Establishment was laid the Regium Donum. On the Irish Establishment were quartered also court favourites, royal mistresses and their bastards.[2] Weary of a separate constitution, which was abused for the sustenance of infamy, and with an honourable eagerness to cast off their shame, they voted that pensions paid out of the kingdom should be taxed four shillings in the pound; and on the 22nd October they framed their more serious discontents and desires into a direct address to the Crown.

They were, and always had been, they said, most loyal; but Ireland, from many causes, was mise-

[1] 'Southwell to Nottingham, October 4.' *MSS.* Record Office.

[2] Catherine Sedley, Countess of Dorchester, mistress of James the Second, had a pension of 5,000*l.* a-year from Ireland; and the Duke of St. Alban's, Charles the Second's son, a pension of 800*l.*

BOOK II. 1703

rable. Their trade was ruined, their industry paralysed, their manufactures violently taken from them. They were overrun with paupers; among whom, in consequence of these unjust measures, were now to be found industrious Protestants. In a country where the Papists were so formidable, they humbly conceived that Protestant immigrants ought to have been encouraged; whereas Protestant families were now removing to Scotland, or emigrating to the Plantations. The commerce of Ireland was utterly destroyed. The restrictions and prohibitions had rendered it impossible for any merchant to carry on business. Government officials were intolerably corrupt. Some had made enormous fortunes; others, holding high and lucrative employments, were residing in England. The Commons implored the Queen to consider their wrongs, and concede the only measure which could really remove them—a firm and strict union between Ireland and England.[1]

Sir Richard Cox, who had succeeded Methuen as chancellor, supported the address of the Commons in a powerful letter to Lord Nottingham:—'Your Lordship,' he said, 'will be pleased to consider, that this country is inhabited by a people of several nations, interests, and religions; and that incendiaries may easily serve themselves of one party or the other; that all labour under great poverty, occasioned chiefly by the English acts of woollen manufacture and resumption;[2] that if the few English here find themselves oppressed, they will return to their mother country, as many as are

[1] Address to the Queen, October 22.' *MSS.* Record Office. Cf. *Journals of the Irish House of Commons*, October 1703.

[2] The Resumption of Forfeitures Act.

able; and the rest, prompted by indignation, necessity, or despair, will turn Scotch or Irish. There is no remedy so proper for both kingdoms as some sort of union which would enrich and strengthen England, and establish the English interest here, and make it prosper; for, in that case, all the British would be good Englishmen. We do not capitulate. You may be your own carvers. It seems worthy of your serious thoughts to promote so good a work.'[1]

The forces which govern the evolution of human society are so complex that the wisest statesman may misread them. The highest political sagacity, though controlled by conscience and directed by the purest motives, may yet select a policy which, in the light of after history, shall seem like madness. The 'event' may teach the inadequacy of the intellect to compass the problems which at times present themselves for solution. The 'event' alone will not justify severe historical censure, where a ruler has endeavoured seriously to do what, in the light of such knowledge as he possessed, appeared at the moment most equitable. But no such excuse can be pleaded for Queen Anne's ministers, or for the English nation whose resolution they represented, in rejecting these overtures of the Irish Parliament. Opportunities occur in the affairs of nations which, if allowed to pass, return no more. The offered Union was thrown away when it would have been accepted gratefully as the most precious boon which England could bestow; was thrown away in the meanest and basest spirit of commercial jealousy.

[1] 'Sir R. Cox to the Earl of Nottingham, February 13, 1704.' *MSS.* Record Office.

BOOK II. 1703

No rational fear of possible danger; no anxiety to prevent injustice; no honourable motive of any kind whatever can be imagined as having influenced Lord Nottingham, or the persons, whoever they were, that were generally responsible for the decision. In fatal blindness they persuaded themselves that the Union would make Ireland rich, and that England's interest was to keep her poor. The Queen returned a cold reply, 'that she would give no particular answer at present, but would take the request into consideration.'[1] The consideration never came. The wisdom of the precious resolution was never doubted or reviewed; and from this one act, as from a scorpion's egg, sprung a fresh and yet uncompleted cycle of disaffection, rebellion, and misery.

The union would not be conceded; that much was certain; and the Irish Parliament was left face to face with its own domestic skeleton, to determine by what means the ever-germinating Popery could be held down, and if possible destroyed. With an Ireland united to England, and restored to trade and industry, the Catholics would have sunk before the superior vitality of their vigorous and thriving rivals. If there was to be no trade and no industry, a social condition would establish itself, in which the natural superiority would be on the Celtic and Catholic side; and, unless otherwise protected, such Protestants as remained in the island would conform themselves to the only type of character which could be happy in compelled idleness.

[1] *Commons' Journals*, February 11, 1704.

SECTION III.

CHAP. II.

1703

The alternative which Ireland was to receive for the refusal of the Union was the bill for the Repression of Popery; and the unfinished work of the Council was turned over to the House of Commons, who appointed a Committee to draw the heads of an act. But further correspondence with England was necessary before they could make progress with their work. The interest in the smaller measure, so long as they were considering and debating on the Union, was comparatively feeble; and to prevent conflict and confusion the House was unwilling to take active steps till the views of the English Cabinet were ascertained with precision. The most powerful influences were brought to bear on the English Court in favour of the Catholics. The heads of a companion act had been already sent over, under which Catholic secular priests remaining in Ireland were required to present themselves before a magistrate, register their names, and take out a licence, of which the Abjuration Oath was a condition. A formal remonstrance, both against this measure and the intended Popery Bill, had been submitted to Lord Nottingham, and a large money subscription had been raised among the Catholic gentry to insure the Privy Council's attention. They appealed to the Articles of Limerick and to the promise distinctly given them, that they should be subject to no disturbance on account of their religion. King William had undertaken that they should retain all such privileges as they had possessed under Charles the Second, and

BOOK II. 1703

yet they were threatened with being deprived of the right of punishing disobedient children, or of buying or inheriting property in the land of their fathers. By the Articles of Limerick no oath was to be required of Catholics but the simple Oath of Allegiance. If the Abjuration Oath was to be made a condition of registration, 'no priest could remain in Ireland; none could come thither from abroad under penalty of high treason; and no Catholic could continue to live there being barred the exercise of his religion.' 'They humbly hoped her majesty would refuse to consent to a law which was a breach of faith. Public honour was always sacred, and no people were more sensible of it than the English.'[1]

The clause of the Articles of Limerick affecting the religious position of the Catholics had been confirmed by Parliament. It was part of the law of the land. The appeal was not conclusive, for no treaties can bind eternally when conditions change; but the reply most consistent at once with honour and the interests of Ireland, would have been to concede the Union. No Repression of Popery Act would have been then needed, if Protestantism had been allowed fair play. But Ireland appeared to the English ministry to be a country where honour, conscience, and common sense were words which had no application. General directions were given that the bill was to be proceeded with, and, on the 19th November, the heads were laid on the table of the House of Commons by Tenison, the member for Lowth.

The summer work of the Council formed the evident basis on which the Committee had proceeded. The

[1] 'Case of the Roman Catholics in relation to the bill against the repression of Popery.' *MSS.* Record Office.

preamble stated, as a reason for further legislation, 'that the great lenity and moderation hitherto extended in making and executing laws against the Popish religion, had produced no other effect, or been otherwise looked on by them, than as connivance or encouragement.' The existing laws were evaded. Catholic fathers disinherited their Protestant children. Papists had recovered possession of estates which they had forfeited by rebellion, by eluding the Intermarriage Act. The priests, by secret proselytizing and perversions, were undermining the Protestant interest and dividing families. It was proposed, therefore, first, that, according to English precedent, to seduce a Protestant from his faith should be treated as a crime, both in the pervert and in the person perverting him. The Foreign Education Act must be more strictly enforced. Catholic parents must be compelled to allow sufficient maintenance to their Protestant children; and 'to the intent that no lordship, manor, or tenement, whereof any Protestant was, or hereafter should be, at any time seised, should come into possession of a Papist,' the Committee recommended that no Catholic should be left in a position to recover such lands under any circumstances whatsoever. Their power to purchase or inherit from one another the Committee, like the Council, still proposed to leave undisturbed; with this provision only, that the estates, real and personal, of a Catholic having only Catholic children, should descend in gavelkind, and be divided in equal portions among them. If the eldest son chose to declare himself a Protestant, he might resume his rights as heir-at-law.

The disarming act had been neutralized by a power

BOOK II. 1703

left to the Viceroy to dispense with it. This power the Committee alleged to have been abused, and begged that it might be withdrawn. The Limerick and Galway clause reappeared, but was prospective in its operation. No Catholic should, for the future, acquire property in those towns, or come to reside within them. The present inhabitants might remain on finding sureties for their good behaviour.

These positions, with a clause disabling Catholics from voting at elections without taking the oaths of allegiance and abjuration, constituted the chief features of the Repression of Popery Act, as the heads left the Irish House of Commons and were sent to England for final revision. It is to be observed, that the reservation of power to the Catholics to buy and inherit land among themselves was still maintained, in spite of the exception which had been taken by the English Cabinet. The Speaker, attended by the whole House, presented the bill to the Viceroy, to be forwarded to London.

'The opposition constantly made in England,' they said, 'by the Papists of Ireland, against whatever might tend to the security of her majesty's Protestant subjects, induced them to lay the heads before his grace in that solemn manner. They thought it the more particularly necessary, being informed and convinced that great sums of money had lately been raised by them to oppose the passing of a Bill of that nature in England.' [1]

Communication between Dublin and London was still irregular. In mid-winter especially the passage yacht was sometimes detained indefinitely at Holy-

[1] *Commons' Journals*, November 24.

head by heavy westerly weather; and Ireland, after the dispatch of the heads of this and the Priests Registration Bill, remained for six weeks in a fever of suspense and excitement.

Rumour said that England meant to favour the Catholics. The short December days had brought Rapparee outrages. The extreme Protestant party made use of them to excite terror and indignation; and the Solicitor General (Brodrick) was so violent, that Ormond gave him a public reprimand.[1] The Commons intimated plainly, that if the Popery Bill returned to them materially changed, they would refuse the supplies after all; and both Southwell and the Viceroy wrote to deprecate alterations in the strongest language. 'The House of Commons,' they said, 'was extremely intent upon it. They entreated Nottingham to see personally to its progress and dispatch.'[2]

There was no occasion for their alarm. At the end of January news came that the bill was coming back, and coming in a shape which would be welcome to all good Protestants. On the 10th February it arrived. From Ormond's anxiety it might have been inferred, that the disposition in England was really unfavourable. Yet the bill had been changed, not in a direction to make it bear less heavily on the Catholics, but to bring it rather more close to the English Act, and to abridge the small indulgence which the Irish Council had endeavoured so earnestly to preserve.

In the shape in which this celebrated statute was

[1] 'Southwell to Nottingham, January 18, 1704.' *MSS.* Record Office.

[2] 'Letters from Secretary Southwell and the Duke of Ormond, December 1703 and January 1704.' *Ibid.*

BOOK II.

1704

returned from England to be passed into law by the Irish Parliament, the provisions of it were these:—

The first part of the preamble had been struck out, perhaps as reflecting too severely on the imbecility of the executive government. 'Emissaries of the Church of Rome,' it was thought sufficient to say, 'taking advantage of the weakness and ignorance of some of her majesty's subjects, and the sickness and decay of their reason and senses, daily perverted them from the Protestant religion, to the disquiet of the realm, and the discomfort and disturbance of private families. In their hatred of true religion, persons professing Popery had refused to provide for their Protestant children. They had evaded the laws designed to keep them in check. They had it in their power to make divisions by their votes at elections, and to use other means, to the destruction of the Protestant interest. Perversions therefore from Protestantism to Popery were brought under the premunire statute, as the heads had recommended. The penalties of the Foreign Education Act were extended to all Catholics who sent their children abroad without licence. Power was given to the Court of Chancery to compel Catholic parents to make sufficient allowances to their children of another religious profession than their own; and then coming to the great matter, the act declared, that where the eldest son of a Catholic father was a Protestant, the father became tenant for life only, and was disabled from selling his estate if he desired it. No Catholic might be guardian or trustee to orphan children though born of Catholic parents. If the parents were living, and one of them was a Protestant, the Court of Chancery was directed to

see that they were brought up in the Communion of the Established Church.

A middle course was taken with the debated purchase and inheritance question. Under no condition whatsoever were Catholics to be permitted to buy lands, or gain any additional hold on the real estate of the country. They were not even to take leases for more than thirty-one years. Lands already in the hands of Protestants must descend to the Protestant nearest of kin. Lands in possession of Catholics, whose children were Catholics also, were to descend in gavelkind, as the Irish Committee had proposed. The eldest son, however, might inherit, as the Committee recommended under the common law, and retain his privilege as sole heir to the real estate if he declared himself a Protestant within a year of his father's death.'[1]

An act, passed under Charles the Second, had required the Oaths of Allegiance and Supremacy as a condition of acquiring property in corporate towns. Had the law been observed, the late rebellion would have been prevented. Limerick and Galway being places of great military importance, the English Council had now consented to the clause which forbade fresh Papist families from settling there; while Papists already occupying tenements within the walls were required to find security for their good behaviour. A blow was aimed also at local superstitions, by an order that all crosses, pictures, inscriptions, and

[1] The Court of Chancery in such cases was to make an order for the maintenance of the younger children up to a third of the value of the estate. Nor did the act, as is sometimes imagined, enable a younger brother to supplant the eldest by conforming. The eldest son alone was laid under a direct temptation to change his religion from interested motives.

BOOK II. 1704

objects of public devotion should be destroyed by the magistrates; gatherings at stations and places of pilgrimage were to be treated as riotous assemblies, and persons collecting on such occasions were to be fined or publicly whipped.[1]

Such was this act as it affected Catholics after being remodelled by the English Cabinet; but provisions were attached which reflected the double edged intolerance of the members of the Anglican Communion. A special section declared that no person should take benefit by the act as a Protestant, who did not conform to the Church of Ireland as by law established. If, on the death of a Protestant landowner, the natural heir was a Catholic, the Catholic was disabled; but if the Protestant next of kin, to whom the estate would lapse, happened to be a Presbyterian, he was to be passed over in favour of a more remote member of the Establishment. As if this was not enough, the English Test Act, of which in the previous correspondence not a word had been breathed, was found to have been introduced as a parenthesis. The taking the sacrament, according to the rites of the Established Church, was made a condition of holding any office, civil or military, under the crown, above the rank of a constable. The exclusive privileges, so long desired by the Irish Bishops, were thrown into their hands as a make-weight in a bill of a totally opposite tendency. The Presbyterians, the Independents, the Huguenot immigrants, the Quakers, not protected in their public worship, like the English Dissenter, by a Toleration Act, were swept under the same political dis-

[1] 2 Anne, cap. 6. *Irish Statutes.*

abilities, and were at once cut off from the army, the militia, the civil service, the commission of the peace, and from seats in the municipal corporations.

What could have been the object of this most strange and most unlooked-for episode? Was it a move of Lord Godolphin's, as Burnet says, to defeat a bill which he could not directly oppose, by introducing a clause which he trusted would prove fatal to it? Was it, as Dr. Reid considers, that Archbishop King, finding his direct attacks on the Dissenters unsuccessful, induced his friends in England to insert the clause in the last stage of a bill on which he knew the Irish Commons to have set their hearts, when they must either accept the form in which it was returned to them, or lose it altogether? The motives of public men are rarely so complicated as the critics of their actions conjecture. Lord Godolphin's object was to pacify the Irish Parliament, and obtain the necessary supplies without granting the Union, or making commercial concessions which would irritate the English manufacturers. The Catholics were politically powerless. No favour shown to Popery would improve the Government majority. The Presbyterians, though half the Protestant population, and incomparably the most earnest in their Protestantism, were chiefly farmers, tradesmen, and artisans. Out of three hundred seats in the House of Commons they commanded but ten, and the little favour felt towards them had been shown in a recent vote, which declared the Regium Donum an unnecessary expense; while the Test clause was the surest means to reconcile the Bishops and High Church Peers to an act which their Jacobite sympathies might have otherwise inclined them to resist.

BOOK II. 1704

A slight agitation followed the announcement of so unexpected an addition to the act, but not sufficient to cause uneasiness at the Castle.[1] The bill passed through the first and second readings without discussion. On the 22nd of February the House of Commons went into committee. The Catholics had applied to be heard by counsel in opposition; the request had been considered fair; and Sir Theobald Butler, who had been Tyrconnell's Solicitor General, and Sir Stephen Rice, who had been Chief Baron, spoke at the bar as their representatives. The appeal of course was to the Articles of Limerick. The act before the House admitted no distinctions, and applied to the whole of Ireland. Catholics specially comprehended in the Articles of Limerick and Galway had been promised undisturbed possession of their properties; and if the act became law, their sons, it was urged, should they choose to become Protestants, could take away their control over their estates. By the Articles generally all Catholics were restored to such rights as they had enjoyed under Charles the Second. In that reign they had possessed an undoubted right of purchasing land, and of this they were to be deprived. In that reign a son succeeded to his father's property though the father might be a Protestant and the son a Catholic; while, if the gavelling clause was carried, in a generation or two there would scarcely be a remembrance of any Catholic family in any part of Ireland.

It was needless to argue an inconsistency which

[1] Southwell, who must have known Godolphin's real wishes, reported that the bills had been well received: 'The Sacramental test, added to the Popery Bill,' he said, 'made a slight stir, which is dying off.'—'Southwell to Nottingham, February, 1704.' *MSS.* Record Office.

could not be denied. Treaties, it was admitted in reply, were meant to be observed, but were not intended to last for ever. A power of revision resided necessarily in the legislature; and the legislature could not be prevented from passing laws which might be required for the safety of the Government.

This position the Catholics did not attempt to question. No articles, Sir Stephen Rice acknowledged, could take away the right of Government to protect itself against dangerous enemies. He protested only that the Catholics had given no fresh provocation, or had made themselves in any way legitimate objects of suspicion.

Here of course the real difficulty lay. To sincere Protestants, the Catholics could not, in the nature of the case, be other than objects of suspicion. They had lost nine-tenths of their estates, and must, if they were mortal, desire to recover them. As certainly, they must be friends to the Pretender, and enemies of the Hanoverian succession. They had themselves admitted that no Catholic could conscientiously take the Abjuration Oath.

'The arguments,' wrote Southwell, giving an account of the discussion to Nottingham, 'were considered and answered, and all the clauses against the Papists passed unanimously, till we came to the sacramental test, on which we had a two hours' debate. It was objected, that we were creating a new distinction of Church and Dissenters, when there ought to be only that of Protestant and Papist; that it weakened our Protestant interest, when we were provoking the Papists afresh; that it was an ill-requital to the Dissenters, who had so signalised themselves in the defence of Derry; that, in case of foreign invasion, it

BOOK II. 1704

put them out of capacity, without great penalty, of showing the same zeal; that it was more sensible to the Dissenters here because they have no toleration by law as in England; and some very few, in the height of their resentment, were pleased to say, they thought this was added to hazard the bill. All this was answered, and showed that no particular hardship was designed towards them; that, in fact, there were more of the Church at Enniskillen and at least one-half in Derry; that even in the North above eight in ten of the gentry were Churchmen; that although, in those parts, the commonalty might exceed in Dissenters, parish officers were excused in the bill; that, in cases of public danger, all people were obliged, in duty and interest, to oppose the common enemy; that, if ever we hoped a union with England, it could not be expected they would ever do it, but upon the same terms that they stand upon; and that, in England, the Dissenters have both writ for and preached conformity when it was for their interest and advantage.'[1]

To throw out the clause was to lose the work of the session. Twenty members of the House of Commons preferred even this alternative as a less evil than a resolution so impolitic and unjust. But the bill was carried by an enormous majority. It passed with equal ease through the House of Lords, and became law.

The act requiring the Catholic priests who remained in Ireland to register their names and take out licences, was returned from England with the Popery Act, and was passed simultaneously. It reappeared without the dreaded provision, which was

[1] 'Sir Ed. Southwell to the Earl of Nottingham, February 26, 1704.' *MSS.* Record Office.

CHAP. II.

1704

to have exacted the Abjuration Oath; but had the execution of the law been equal to its verbal severity, it would still have sufficed to extinguish Irish Popery within the compass of a generation. The existing Secular Clergy were allowed to remain and officiate; but their number was not to be recruited from abroad, nor were any more to be ordained in Ireland. To prevent evasion, every priest was required to return his name, his parish, his age, the time and place where he received his orders. If he could prove that he was one of the old set he was to receive his licence; if not, he was required to leave the country, under pain of death if he came back. To make the disappearance more rapid, a pension of 20*l.* a year, afterwards raised to 30*l.*, was assigned to every priest who would come over to the Establishment.[1] Finally, as the English Parliament had determined the descent of the crown in a Protestant line, should Queen Anne die without a natural heir, and 'inasmuch as it most manifestly appeared that the Papists of Ireland, and other disaffected persons, did still entertain the hope of disappointing the succession of the crown to the House of Hanover,' an attempt to tamper with the Act of Succession in the Pretender's interest, by act or deed, was made high treason.'[2]

[1] 2 Anne, cap. 7.

[2] 2 Anne, cap. 5. *Irish Statutes.*

SECTION IV.

BOOK II. 1704

CAREFULLY as the Bill for the Repression of Popery had been drawn, it appeared at first as if it were to take its place among the many statutes which existed only as bugbears. By the 13th of the 10th of William, Papists had been disqualified from practising as solicitors; yet the courts were as full as ever of Catholic attorneys; and the attorneys, having established their own existence in the teeth of one law, found little difficulty in picking holes in another. Any means were thought legitimate to defeat a statute in itself unjust; and by annuities, by fictitious conveyances, by incumbrances and settlements, by fines and leases, by all the unnumbered weapons lying in a lawyer's armoury, Catholic landowners were still enabled to determine, after their own pleasure, the descent of their properties; while the executive was equally careless in enforcing the acts immediately penal. Catholic gentlemen were not disarmed. Catholic bishops held ordinations as usual, and were not interfered with. The majority of priests laughed at the Registration Act, officiated without licence, and no one meddled with them. Students went and came between Ireland and the French and Spanish Universities. Catholic schools continued open. Catholic tutors taught their pupils undisturbed in private houses. In vain, two years later, the Commons voted that magistrates who neglected their duties were 'betrayers of the liberties of the kingdom and enemies of the Protestant interest.'

It seemed as if laws against Celt or Papist in Ireland were only made to be laughed at; as if they had been passed to silence the clamours of Parliament, and were paralyzed by the purposed inaction of those whose business was to see them enforced. The coldness in one direction was the more remarkable when contrasted with the heat and vigour in another. The Bishops had been bribed into consenting to the Popery Bill by the clause against the Dissenters; and they settled to their work, when the law was passed, with the zeal of heartfelt enjoyment. The Presbyterian magistrates in Ulster were cleared out. 'Men of little estate, youths, newcomers, and clergymen, having nothing to recommend them but their going to church,' were appointed in their places. Out of twelve aldermen of Derry, ten were Nonconformists, and were ejected. At Belfast the entire corporation was changed; and the power being now in their hands in town and country, the Bishops fell upon the grievance which had so long afflicted them, of the Presbyterian marriages. Catholic marriages did not trouble them; for Catholic priests were lawfully ordained, and could perform valid sacraments. Dissenting ministers were unsanctified upstarts, whose pretended ceremonial was but a licence for sin. It was announced that the children of all Protestants not married in a church should be treated as bastards, and, as the record of this childish insanity declares, 'Many persons, of undoubted reputation, were prosecuted in the bishops' courts as fornicators, for cohabiting with their own wives.' [1]

Too late the English ministers became conscious

[1] *Loyalty of the Presbyterians in Ireland. Reign of Queen Anne.*

BOOK II. 1707

of their mistake, and endeavoured to repair it. The intolerable absurdity of crippling the right arm of Irish Protestantism, with the Pretender threatening a descent on Scotland, was too glaringly obvious. If the Test Act was to be the only reality, and the Popery Acts were to be left to sleep, the Test must be taken off again, and some fresh acts passed against the Catholics, of which evasion should be impossible. The Earl of Pembroke was sent over in Ormond's place to introduce, if possible, some elements of common sense into the distracted administration. Never constant for more than a year or two to a definite policy, the history of the English Government of Ireland is, from first to last, a history of attempts to rule by humouring the party which was for the moment uppermost, of the wildest blunders permitted for an immediate object, to be followed by efforts always ineffectual to undo them after the mischief had been accomplished.

Pembroke came to Dublin in the summer of 1707, bringing with him George Doddington as secretary. The Earl of Sunderland, brought for a time into office, used the opportunity to press a reversal, if possible, of the extraordinary policy of the Test clause; and though his influence was far from paramount in Godolphin's administration, it can be traced in Doddington's appointment, and in the language of Pembroke's speech at the opening of the Irish Parliament, which dwelt generally, but emphatically, on the danger from the overwhelming numbers of the Catholics, the necessity for unanimity among Protestants, and the desirableness of discovering fresh means to strengthen the Protestant interest.

The mind of the Commons was still fastened upon

the object which, in the Session of 1703, they had sought so earnestly and so ineffectually. In the address they expressed their hopes for 'a more comprehensive union.' The Queen, was made to answer as before, vaguely, that she would endeavour 'to make the union of all her subjects as extensive as possible.' The words passed as more hopeful than an absolute refusal; and the House settled itself to the work of which the Journals indicate only what was done, being silent over what was attempted. The supplies were voted freely. Next to the supplies the Test had been Lord Sunderland's chief anxiety. Doddington was obliged to report that the Bishops' influence among the Lords, and the High Church leanings so strangely visible in the Lower House, rendered the removal of it totally impracticable.[1] Suggestions for an improvement of the Popery Bill were received more warmly. The

[1] Doddington's letter to Sunderland on the subject throws the most curious light on the temper of the Irish Parliament: 'As to the other grand affair,' he wrote, on the 14th of August, after mentioning the supply vote—'I mean the taking off the Sacramental Test; it was impracticable in this House, and will ever be for as long as this Parliament continues, which is made up of two-thirds of as High Churchmen as any in England. You would hardly believe there should be such a creature as an Irish Protestant Jacobite, and yet 'tis most certain there are a great many such monsters. I can prove it. This country is very near as much under the power and influence of the clergy as the people of Italy are; and, if care be not taken of them, they will put what measures they please on the civil power.' And again on the 28th: 'This people ought to be gratified with all laws that are for the better government of human society, and for their preservation against the Papists and their adherents the High Flyers, with which this country swarms. I entirely agree with you, that nothing less than the taking off the Sacramental Test can remedy the growing evils this country labours under; but unless the Government will call a new Parliament, and sincerely espouse the taking it off, it will not be done. Two-thirds of the members of the present House of Commons are High Flyers. In the other House the Bishops, every man of them, are as

BOOK II. 1707

Commons had been perplexed with details of the many methods by which Catholic solicitors were untying the knots of the act of 1704. Lands had been given away, leases had been granted for a thousand years to hinder Catholic estates from falling to apostate children. Heirs apparent, or eldest sons, of wavering faith, had been smuggled away to England, or married as minors to Catholic ladies, that the priest's influence might be sustained by the wife's. Special acts were passed to meet particular instances; and the heads of a general act, from which escape would be at last impossible, were carried through the Lower House with rapidity and enthusiasm; notwithstanding all that Doddington had reported of the humour of the majority of the members.

The Highchurchmanship, however, which in the country gentlemen was controlled or modified by Protestant traditions, appeared among the Spiritual Peers in its true colours. To them a Catholic was but an erring brother, while a Calvinist was a detested enemy. The Catholics were good friends to the Pretender, and, in the event of a revolution, might unite ultimately with themselves. Whigs, Low Churchmen, and Nonconformists were malignant Hanoverians and foes to their very heart of hearts, of Sacerdotalism and Episcopal authority. Measures which would give additional strength to Protestantism in the true and proper sense, were things to be deprecated and resisted. They did not

high as Laud was, and have so great an influence over the Temporal Lords, most of whom have as little sense as Lord Abercorn, that they are at least six to one against the honest Lords. Believe me this country is priest-rid, very near as much as the Portuguese and Spaniards are.'—'Doddington to Sunderland, August 14 and 28.' *MSS.* Record Office.

attempt direct opposition, but they introduced modifications, which would make the bill as futile as its predecessors; and in this condition the heads of the New Popery Act were sent over with others to the English Council.

'I beg leave in particular,' wrote Doddington in transmitting them, 'to mention the bill for preventing the further growth of Popery, which the holy prelates have been mumbling and doing their best to render it ineffectual. The Papists are alarmed at this bill, which was designed to strengthen the one that passed formerly, and prevent the settling their estates in such a manner as would evade the first act, and hinder their estates from descending to their Protestant children. When I reflect how unaccountable an act it is for a Protestant Government to authorise Romish priests to exercise their religion, and at the same time the Dissenting ministers are made liable to very severe penalties for acting according to their persuasions, I cannot but hope some cure will be found out to put an end to so unreasonable a proceeding. We require alterations in the Council, which in truth is a scandalous board, and by such steps may allay that violent temper, which has been countenanced and preached up here since the death of the late King. And then a new Parliament, with the countenance of the Government, will take off that scandalous distinction, or rather infamous clause, and do such other things as may be for the real honour of the Queen and the good of her subjects.'[1]

The Popery Bill came back, but the Bishops'

[1] 'Doddington to Sunderland, September 2.' *MSS.* Record Office.

BOOK II. 1707

handiwork being left entirely or in part undefaced, a Committee of the Commons reported upon it unfavourably, and it was rejected.[1] A second set of heads were introduced by a private member, but at so late a period in the session that nothing more could be done with it. The Irish Parliament was falling into a habit which became afterwards the rule, of meeting only in alternate years. The Catholics were reprieved, and the Bishops had secured their gratitude in the event of half foreseen contingencies.

[1] *Commons' Journals*, October 18, 1707.

SECTION V.

CHAP. II.

1708

While the Irish Jacobite House of Lords was thus openly taking the side of the Catholics, the Pretender was preparing at St. Germains for a descent upon Scotland. An attack on Ireland, whether as a feint or as a reality, formed an important part of his plan. As soon as he should have established himself among his Highland friends, a French squadron was to come round to Galway, where the Catholic inhabitants, led by the country gentlemen, who had been officers in his father's army, were prepared to receive their allies. The Government had received information of what was intended, and, so far as they were able, had taken measures to secure so important a town. The difficulties which they experienced sufficed to show, that the Limerick and Galway Clauses in the Popery Act were no gratuitous insults to a loyal and unoffending set of people, but resolutions of mere self-defence, of which the fault was, that they were left unexecuted. An order was sent to the mayor to call before him the principal Catholic gentlemen of the county, to offer them the Abjuration Oath, and, if they refused to swear, to secure their persons. The mayor, though of necessity a Churchman by profession, yet wore his churchmanship as an official cloke, with a sound Catholic body concealed below it. He invited the gentlemen to repair to Galway as he was directed. They obeyed—Lord Bophin and half a hundred others, with their servants and retinue of friends. They declined the oath as a matter of course. The mayor directed them to consider themselves

BOOK II. 1708

prisoners on parole inside the walls, precisely in the place where they would be most useful when the French should arrive; and Colonel Eyre the governor, with a handful of soldiers in the castle, found himself overmatched and virtually at their mercy.[1] The condition of Galway was the condition of all the counties where the Articles of Limerick had left the Catholic strength unbroken. In the event of an insurrection the only force which could be relied upon to oppose the Pretender was as usual the Ulster Militia, and the Ulster Militia had been simply annihilated by the Test clause. The rank and file of the regiments had been almost exclusively Presbyterian. After the insult passed upon them, and no longer permitted to have a single officer of their own persuasion, they refused to obey the summons when invited to enlist; and Ireland, with Catholics, Protestants, traders, landowners, farmers, all classes and all creeds, disunited and mutually exasperated, lay at the time of trial once more without defence. Most precious commentary on the proceedings of all parties who had been concerned in bringing her to such a pass! The slightest success in Scotland would have led to the landing of a French army, and although an insurrection would have been less mischievous than in 1641, and in 1689, for there was as yet no glimmer of returning prosperity which could be again ruined, fresh millions must have been supplied from the English exchequer, and the wretched business of reconquest undertaken once more from the beginning.

Happily the Pretender's expedition failed; the

[1] 'Colonel Eyre to Secretary Dawson, March 30 and April 11, 1708.' *MSS.* Dublin Castle.

peril passed by; and English statesmen who had leisure to spare for the unlucky country, and intelligence enough to be conscious of the disgrace which this perpetual mismanagement entailed on them, renewed their resolution to take warning, and for the future to follow wiser courses.[1]

[1] The militia catastrophe in Ulster gave a tempting opportunity to the High Church party. King William, whose popularity among the Protestants had suffered through his consent to the commercial disabilities, was again becoming a national hero in contrast with the Tory leanings of Queen Anne. Whigs, Low Churchmen, and Nonconformists, looked back on the memory of King William, and looked forward to the Hanover succession with passionate regret on one side and passionate hope on the other. The Bishops and their friends took occasion, from the refusal of the Presbyterians to enlist, to represent to the Queen that they, and only they, were loyal to herself. An address was drawn by Pooley, Bishop of Raphoe, and signed by himself and his clergy, which throws an amusing light on the temper of these gentlemen.

To the Queen's Majesty. The Humble Address of the Bishop and Clergy of Raphoe at a Visitation held August 18, 1708, at Raphoe in Donegal:

'Please your majesty, — We, your majesty's most dutiful and loyal subjects, daily remember your happy accession to the throne, with an entire affection, *which admits no rival alive or dead.* We admire the wisdom of your conduct through the whole series of your reign, particularly in that stupendious (sic) instance the Union. We adore God for the various scenes of wonder which have hitherto attended your arms and those of your allies. By the Pretender's coming, seeing, and flying North Britain instead of overcoming, Providence seems to indicate your majesty shall not need their swords who will not draw them unless as officers. The hero Eugène served as a private soldier under your hero Marlborough. 'Tis to be feared that subjects who will not be for you, but on such conditions as repeal those laws which are framed as the bulwark against Popery and all its adherents, may be against you. As for us, we shall preach active obedience for conscience sake to her for whom God has done marvellous things whereof we rejoice, and pray that these wonders may reach from Oudenarde to Versailles till Christendom and your adversary shall humbly beg that protection and honourable peace which he proudly boasted to give, but never on honourable terms.

'JOHN RAPHOE.'

Unfortunately for the Bishop, he could not forward this effusion directly to the Queen. It could be transmitted only through the Irish Council, and he seems to have been afraid of the satirical criticism of Archbishop King. He

BOOK II. 1708

The Irish High Churchmen required a bridle. Lord Wharton, a more determined Whig than Pembroke, was chosen to force the hand of those fanatical or dishonest schemers, and, if possible, compel them to consent to the repeal of the Test. The Irish Bishops, more fortunate than they deserved, found a champion, where they might least have looked for one, in the vicar of Laracor. Jonathan Swift, against whom Anne's prejudices had closed the hopes of advancement in England, had been recommended by Lord Somers to Wharton's patronage. Wharton, for reasons of his own, paid no attention to Somers's request; and Swift, who never forgave an injury, paid home this fresh instance of undeserved neglect. He sketched a character of Wharton himself which, merited or unmerited, will cling to his memory while the English language endures. The Dissenters he regarded with the intense detestation which men of powerful minds entertain for what they call fanaticism; and, in his own extraordinary misconception of the true character of the Irish problem, he left behind him one more evidence, that the fanaticism of fools may be keener sighted than the most masculine of intellects. The removal of the disabilities

enclosed it to the Lord Justices with a letter, in which he said:—'"Tis signed by all the clergy who were present at the visitation, except one, who declined, because of the words, "with an entire affection, which admits no rival alive or dead." All the rest thought an entire affection for the Queen couldn't admit a rival alive or dead, and therefore wouldn't alter the paragraph to humour one who entertained any thought of a rival of her sacred majesty, not foreseeing whither such thoughts might tend.'

'If the address must be read publicly by some belonging to the Council, I humbly beseech your Excellencies that the Archbishop of Dublin, or the Bishop of Clogher, may not read it, lest they give it a turn of madness, or make it look as if it were words tending to sedition.'—*MSS.* Dublin Castle, 1708.

being, as he knew, the measure which Wharton most desired, he attacked it in a pamphlet, which supplied the Opposition with an armoury of arguments—arguments at the moment unanswerable, which later history has too effectually answered. The Presbyterians, he insisted, constituted the only political danger to which Ireland was exposed. He compared the Catholics to a chained lion bound fast, with teeth drawn and claws pared to the quick; the Presbyterians to an angry cat free to fly at the throat of any innocent passer-by. The Catholics, he said, were as inconsiderable as women and children, powerless to hurt, and doomed to certain disappearance in one or two generations. The greater part of their lands was taken from them; they could buy no more, and the little that they retained, must every year grow less under the law. The priests were registered, and, as they dropped off, could have no successors. The peasantry without leaders, without discipline, without natural courage, were but hewers of wood and drawers of water, and however well they might be inclined were for ever powerless to do hurt.

The Viceroy, whatever his moral character, saw deeper into the Irish problem than the future Dean of St. Patrick's. On the 5th May, 1709, he met the Parliament. It was unchanged, for it had no natural period except the death of the reigning sovereign, and had not been dissolved. The two main parties into which the House of Commons was divided, were the nominees on one side of the Peers and Bishops, and those on the other who inherited the principles of the Revolution. Between them lay an undetermined section, which in the last session had inclined to the High Flyers, but had been frightened by the Pre-

BOOK II. 1709

tender's attempt, and by the extreme danger to which Ireland had for a few weeks been exposed. The Viceroy said, that 'he was directed to lay before them a consideration of infinite consequence,' 'to put them in mind of the inequality in numbers between the Protestants and Papists of Ireland,' and 'the melancholy experience they had had of the good nature of that sort of men when they had it in their power to distress or destroy them.' 'They must consider, therefore, whether bills were not wanting to confirm the law for preventing the growth of Popery; and, secondly, the evident necessity of cultivating and preserving, by some means or other, a good understanding among all denominations of Protestants.'[1]

The Commons replied, 'that they had found, by dearly bought experience, that the Protestant religion was no longer safe than while it was not in the power of Papists to injure them.' 'They called to mind with abhorrence the satisfaction which too visibly appeared in the faces and in the insolent behaviour of the generality of them in the late attempt of the Pretender.' 'They felt themselves bound to maintain the Church as by law established;[2] but they were conscious of the danger of division.' 'They could not be negligent of their common safety, or of the affection and courage which had been shown by the Dissenters against the French and Irish Papists.'

The concluding words evidently referred to the

[1] *House of Commons' Journals*, May 5, 1709.

[2] In a High Church pamphlet, published five years after, there is the singular confession, 'that the phrase Protestant interest means in Ireland an interest distinct from and even opposed to the Established Church; Atheists, Deists, Socinians, Sectaries, going under the name of Protestants.'—*A Long History of a Short Session of a certain Parliament.* Dublin, 1714.

Test, and were a plain confession of the injustice of it. But either Swift's arguments had been too successful, or they represented too nearly the average opinions of Churchmen. Direct measures of relief to Dissenters were found as impossible as in the preceding session. In the direction of safeguards against Popery, the Lower House required no exhortations. In spite of the act against reversals of outlawries, the Queen, it was rumoured, meditated the restoration of many or of all the families attainted for the last rebellion. If Ireland was ever to have peace there must be an end of these recurring threats of a disturbance of the existing settlement. In the rear of such a policy lay confusion, insurrection, and bloodshed. The first act of the Commons was to demand a promise, that the attainders should be maintained, and they withheld the full supplies till it was given. A dangerous Jacobite spirit had begun to show itself in Trinity College. Edward Forbes, one of the fellows, 'had aspersed the memory of King William.' The provost and the rest of the society had expelled him; and the Lower House, in words which were taken by the High Churchmen as a declaration of war, petitioned the Queen to grant 5,000*l.* to the College for a library, as a reward for the provost's zeal, and 'the encouragement of good literature, and sound Revolution principles.'[1]

In this humour the rejected Penal Bill of the previous session came again before them. It was received in a spirit which showed the Bishops that, if they meddled further with it, they might have to submit to the repeal of the Test as well. It passed

[1] *Commons' Journals.* Session 1709.

BOOK II. 1709

both Houses without difficulty, and the code of law which was designed to transfer the entire soil of Ireland to members of the Established Church, and reduce the Catholics to landless dependents, was finally completed. The habit, so long indulged, of treating Irish penal laws as only made to be disobeyed, had tempted the Catholic gentlemen too far. Had they been contented to work quietly below the surface, they might have undermined the first act till all its purpose had been eaten out. But they had danced upon it, and defied it, and laughed it to scorn, and they had brought their fate upon their own head.

By the new act, every settlement, every lease on lives, every conveyance made by a Catholic owner since 1704, by which any Protestant or Protestants had been injured, was declared void, and the loopholes were closed by which the act of that year had been evaded. To defeat Protestant heirs, Catholics had concealed the true value of their property. Children were now enabled to compel their fathers to produce their titledeeds, and make a clear confession. Catholic gentlemen had pretended conversion to qualify themselves for being magistrates and sheriffs, for being admitted to the bar, or for holding a seat in Parliament, while their children were being bred up secretly in the old faith. The education of their families was made a test of sincerity, and those whose sons were not brought up as Churchmen remained under the disabilities.

Nor, if words could hinder it, were the acts directed against the priests to be any more trifled with. Fifty pounds reward was now offered for the conviction of any Catholic archbishop, bishop, or vicar-general; twenty pounds reward for the conviction of friar,

Jesuit, or unregistered parish priest. To keep up the supply of priests, and to enable a priest newly made to swear that he did not know by whom he had been ordained, large numbers of the Catholic clergy had been in the habit of meeting at stations or funerals, with a bishop in the middle of them undistinguished by dress or ornament; and they had held ordinations 'by laying on many hands together, that the party receiving the orders might not know in whom the power was lodged.' It was now made penal for a priest to officiate anywhere except in the parish church for which he was registered, and the last rivet was driven into the chain by the compulsory imposition of the Abjuration Oath, which every priest was made to swear at his registration. As if this was not enough, any two magistrates received power to summon any or every Irish subject above the age of sixteen, to offer him the oath, and to commit him to prison if he refused it.[1] They might also, if he was a Catholic, ask him where he last heard mass, and by whom it was celebrated. If the priest officiating was found to have been unregistered he was liable to be transported.

Once more passing back from these personal provisions upon the land, for the more effective detection of illegal trusts, leases, mortgages, or conveyances by which Catholics might still endeavour to defeat the

[1] The Abjuration Oath, as modified by the 22nd of the 1st of Anne, contained nothing which could have tried in any way a loyal Catholic's conscience. It contained simply an admission that Queen Anne was lawful sovereign; and that the Pretender had no right or title to the Crown. The oath was to be faithful to the Queen, and to defend her, and defend the succession as determined by Parliament in the Protestant line against the Pretender and every other person. To refuse it was, therefore, a confession of disloyalty.

BOOK II. 1709

object of the statute, a fatal clause was added, that any Protestant whatever who discovered and was able to prove before a Protestant jury, the existence of any purchase or lease of which a Catholic was to have secretly the advantage, should himself be put in possession of the property which was the subject of the fraud.[1]

The evasion of a law so contrived that every unscrupulous scoundrel in Ireland was its self constituted guardian became almost impossible. Of the operations of the act, now at last made really effective, I shall speak in detail in a future chapter. That it was unjust in itself, never occurred as a passing emotion to any Protestant in the two kingdoms, not even to Swift, who speaks approvingly of what he deemed must be the inevitable result. That neither this nor any other penal legislation would of itself give peace to Ireland, that it would not even repress the religion at which it was aimed, unless Protestantism could assume a nobler aspect, and gird itself to nobler work than in its present distracted and divided condition was likely or possible, no one saw more clearly than Lord Wharton; no one endeavoured more honourably to enforce that much needed and ever neglected lesson on the obstinate and bewildered Parliament.

'My lords and gentlemen,' he said, in closing the session, 'I need not put you in mind that the good laws we have passed will be of little advantage to you unless life be given to them by a just and impartial execution. That will now depend upon yourselves . . . and I make no question you understand too well the true interest of the Protestant religion in this kingdom, not to endeavour to make all such

[1] *Irish Statutes*: 8 Anne, cap. 3.

Protestants as easy as you can who are willing to defend the whole against the common enemy. . . . It is not the law now passed, nor any law that the will of man can frame, will secure you against Popery, while you continue divided amongst yourselves. Unless there be a firm friendship and confidence among the Protestants of this kingdom, it is impossible for you either to be happy or safe ; and I am directed to declare to you, as her majesty's fixed resolution, that as her majesty will always maintain the Church as by law established, so it is her royal will and intention that the Dissenters shall not be persecuted or molested in the exercise of their religion."[1]

The words were as if spoken to the wind. The passions of Irish Churchmen were as the passions of Swift. The Dissenters were not relieved of the undeserved note of ignominy which had been stamped on them. The Bishops and their officials continued to harass them so far as their power extended; and the Presbyterian emigration to New England continued also, and gathered volume, to assist, as Hely Hutchinson foretold, in dismembering the British Empire. The Popery Act, meanwhile, was both operative and inoperative ; operative so far as it now at last compelled Catholic land and leaseholders to affect an insincere conversion to escape the eyes of informers ; inoperative so far as the religion itself, in the extinction of which would have lain the only justification of such an act, and the only security for those who passed it—remained vigorous as ever, gathering strength from the cowardice which shrunk

[1] *Commons' Journals*, August 30, 1709.

BOOK II. 1709

from acting upon its own laws. The Catholics may feel legitimate pride in the triumph of their principles over unsuccessful violence. There is no disgrace like the disgrace of a religious persecution which has failed in its object. Yet the means to which the best of them condescended to escape the penalties of a legislation, which as unjust they held themselves exonerated from obeying, furnish some justification also of the desire to extinguish a creed of subtlety and artifice.

The Abjuration Oath had been imposed at length reluctantly in consequence of the last attempt of the Pretender. The form had been purged of every expression which could offend the conscience of a loyal Catholic. The Pope was not named, and, except so far as he assumed a right to decide between rival claimants to the British throne, a right which no government can be required to acknowledge, his prerogative was not touched upon. The Catholic to whom the oath was an offence, declared in his objection that he regarded the Pretender as his lawful sovereign. But, since laymen were no longer exempt, and the parish priests must take the oath as it now stood, or lose their licences and be transported, perjury under the peculiar circumstances of the case was made a venial sin, and a system was introduced in harmony with those features of the Catholic organization which Protestantism most dreaded and most denounced; by which an oath could be taken dishonestly, and the falsehood be covered by absolution. Forswearing was not encouraged or distinctly allowed. It was still treated as an offence which required penitential expiation, and the power of pardoning it was reserved to

particular persons. Yet in that expiation, when it was made, there was not included the only step which would have given it real value, the public retractation which would have taken away from the sinner the advantage which he had gained by his guilt.

The following letter from a vicar-general to the parish priest of Ballinrobe needs no explanation :—

'Reverend sir,—You know the abjuration as public and scandalous perjury was hitherto reserved specially, and shall be still in this our district, save the few that we design shall act for us, and by our own power, which we cannot subdelegate. Wherefore, if any abjurers within this our district should pretend to have been hitherto absolved, you must know by whom, that such may be punished and made sensible of their errors and ignorance, and those so unlawfully absolved must be again absolved by you as one now authorized, upon the following conditions and terms: First, that each of them shall sign and acknowledge the annexed declaration,[1] which you must be sure to keep private, for we do not design to expose anybody but as little as we can. In the second place, they must oblige themselves henceforth never to pretend to defend or command the taking of said oath to anybody, but rather, as far as shall lay in them, censure it as the Church does, and as it deserves. Thirdly, that each of them shall, without delay, cause the holy sacrifice of the mass to be at least once offered for them, and perform what pilgrimages, fasts, alms, and praying, you shall think fit to impose, according to the condition and constitution of each person, and finally that, for the

[1] Not preserved.

BOOK II. 1710

future, they protest against this and any other such oaths censured by their pastors and Church. Upon performing and engaging to perform all which, you will admit as many as shall come to you to the holy sacrament of penance and the rest; but not otherwise.

'I rest, sir, your brother and servant,

'DOM DEANE.'[1]

[1] 'Instructions for absolving those that have taken the Oath of Abjuration, and the power of absolving committed to a few.' *MSS.* Dublin Castle, 1709–10.

SECTION VI.

CHAP. II. 1710

If Doddington was right in 1703, when he accused two-thirds of the House of Commons of being High Flyers, the half-dozen following years worked the conversion of a great many of them. The Peers, lay and spiritual, continued malignant; the Commons, though ill inclined to Presbyterianism, were increasingly eager to vindicate their Protestantism. They had petitioned the Queen to reward the provost and fellows of Trinity for their stout adherence to 'Revolution principles.' King William was become the national hero of the country gentlemen and city tradesmen and merchants. On the 4th November, the Viceroy, Chancellor, and Judges, the Mayor and Aldermen of Dublin, walked in procession round the statue in College Green. The glorious memory of the immortal deliverer from Tyrconnell, Popery, and confiscation, became the toast at public dinners—the criterion to discover the temper of doubtful dispositions—a counter test, as hard for the High Churchmen to swallow as the Dissenters found the sacrament. The Bishops struggled ingeniously, after their methods, to resist the imposition of it. The Bishop of Raphoe and his clergy allowed the Queen no rival in their affections, alive or dead. The Bishop of Cork announced in a sermon, that, to drink to the memory of King William, was a blasphemous parody of the words used at the consecration of the sacramental cup. Another high dignitary discovered that it was dangerously like prayers for

BOOK II. 1710

the dead. In Trinity College, among the younger students, the display of loyalty to the Protestant champion provoked hostile demonstrations extremely curious. The expelled Edward Forbes was the leader of a party whom his expulsion had neither terrified nor silenced. He himself followed his 'aspersion of King William' by a book directly in favour of the Pretender. The lads at their supper parties, instead of the 'Glorious immortal memory!' drank to James the Third under the disguise of the 'Three B.'s'[1] 'the Man that's far away,' or 'the King before George.' There was something, perhaps, of Irish contradictoriness about all this. Young Ireland considered that it had a right to choose its own sovereign. Scotland, before the union was decided, had at one time threatened to reject the Hanover succession. Ireland thought she had an equal right to vindicate her liberty, since the union for which she had asked had been refused. On the night of the 4th November the students' chambers were dark; on the night of the birthday of Ormond, whose treason was divined instinctively, every window was illuminated. 'The King shall enjoy his own again,' was roared from a hundred throats; and curses and execrations were yelled at the name of Marlborough. By the side of the political Toryism there was a no less singular religious reaction. Serious students, preparing to be clergymen, were heard maintaining 'that the orders of the Church of Rome were as pure and holy as those of the Church of England;' 'that it would be better to be ordained by the Pope than by any English bishop;' that the Revolution

[1] 'Best Born Briton.'

had been a rebellion; that King William had been an encourager of Presbyterians and Dutch rogues; and that the nation was governed by Turks.[1]

These humours assumed at last a practical form. On the morning of the 26th June, 1710, all Dublin was agitated by the discovery, that the truncheon had been stolen from King William's statue, and the face plastered with mud. The opportunity had been taken when Parliament, which had been sitting since May, had adjourned for six weeks. Protestant feeling was so grossly outraged, that even the Lords, who were still in Dublin, were obliged to affect indignation. They met and offered 100*l.* reward for the discovery of the offenders, and they declared in their Proclamation, 'that the persons concerned in that barbarous fact, had been guilty of the greatest insolence, baseness, and ingratitude.'[2] The guilty parties proved to be three college students. They excused themselves on the plea of boyish frolic. The explanation was accepted, and no serious punishment was thought necessary; but when the Commons reassembled in August, they expressed the most vehement indignation at an act which they interpreted as a direct manifestation of Jacobitism, and they thanked Wharton for his exertion in identifying 'the insolent miscreants' who had been concerned in it.[3]

On all sides the temper was growing sore. The Bishops, exasperated at Wharton's intimation that they would not be allowed to meddle with the

[1] 'Enquiry into the State of Trinity College, forwarded by Secretary Budgell to Addison, May 30 1715.' *MSS.* Record Office.

[2] 'Wharton to Sunderland, June 27, 1710.' *Ibid.*

[3] *Commons' Journals*, 1710.

BOOK II. 1710

Dissenters, seized the first opportunity that offered to measure strength with him on a point where they felt confident of support. The Regium Donum had been restored, and there was a tacit understanding that, so long as they kept within the limits which they already occupied, and did not endeavour to extend themselves, the Presbyterian Congregations should not be interfered with.

The pluralism, gross and flagrant, of the Established Church, left many districts entirely without spiritual care. Some of these neglected places had applied to the Presbyterian synod to send them ministers, and the synod had rashly complied. Much ill-feeling had ensued. At last, Presbyterians had ventured to preach to large bodies of people at Drogheda, a place where there was no such excuse, and the Bishops resolved to make an example of them.

The congregation, described, with unapostolic scorn, as consisting of 'base persons, coopers, shoemakers, and tailors,' were threatened with the stocks. The ministers were arrested, carried before the mayor, and bound over to take their trial at the Assizes. They appealed to the Viceroy, and Wharton ordered the prosecution to be dropped.[1]

The House of Lords was now dragged into the quarrel. The Bishops, supported by the Lay Peers, whom they moved like pawns on a chess-board, complained to the Queen. The Presbyterians, they said, using the language which Swift had put into their mouths, were the cause of all the disorders in Ireland, and the Earl of Wharton was standing by

[1] The story is told at length in 'the Loyalty of the Presbyterians in Ireland.' There are also several letters upon the subject among the *Church MSS.* in Dublin Castle.

them and encouraging them. The synod defended themselves stoutly. They had created no disturbance, they said. To settle ministers in places where there was no clergyman, and to convert Catholics to Protestantism, was no crime. They bore no enmity to the Church. They were willing to work side by side with the Church against the common enemy. They charged the Bishops 'with having placed an odious mark of infamy upon at least half the Protestants in Ireland.' [1]

The answer of the English Cabinet was Wharton's recall. It was the moment of the great crisis of Queen Anne's reign and the change of ministry. Godolphin and Sunderland were driven from office, and the Whig Viceroy fell with his friends. St. John came into power, supported, through some strange freak of popular feeling in England, by a majority in the House of Commons. All the subtlety of his genius was directed to the disappointment of the Hanover succession; and the government of Ireland was made over once more to Ormond, the idol and hope of High Churchmen and the Jacobite traitors.

The gulf already opened between the High Flyers and the Protestant conformists became at once wider than ever. As the Peers and Prelates showed their colours more distinctly, the country gentlemen grew more passionately Hanoverian. Five-sixths of them now were, or thought themselves, Whigs.[2] They saw before them the spectre of a new

[1] *MSS.* Record Office, Ireland, 1710.

[2] Whiggism is what five parts out of six are at present infected withal, or seem to be so in their common conversation. They toss the Government as they would a tennis ball; talk of the Queen and her new ministry at such a rate as any modest man would be ashamed

BOOK II. 1710

revolution. They determined to stand by one another; to watch the Government every moment; and if Ormond, like Tyrconnell, attempted changes in the shrievalties and the magistracy, to thwart him with all their force. In the army there was the same feeling. Great as was Ormond's popularity among the soldiers, Marlborough's was greater. The officers of a regiment at Limerick drank 'Confusion, damnation, plague, pestilence, and famine to all archbishops, bishops, and priests.' One midnight they brought out their hounds, twenty couple of them, led a fox round and round the bishop's palace, laid the dogs on the scent, and with the baying pack, and whoops and shouts, and winding horns, startled the slumbers of the episcopal family.[1]

The Bishops, on the other hand, were in high spirits from an evident proof of the favour felt towards them in London. Ormond arrived the following midsummer, bringing with him, as the result of Swift's negociations, the remission of firstfruits to the clergy of the Establishment; and Ormond met Parliament in July with the joyful announcement of the Queen's liberality. Like Bolingbroke in England, he concealed the plans of his party behind elaborate promises to support Protestantism and the Hanoverian dynasty; and he informed the Commons also, with marked emphasis, that the Queen had acceded to their request, and had granted the 5,000*l.*

to repeat. They have so many hundred thousand Whigs in this country that wont be run down. If my Lord of Ormond comes to the government, he will never be able to do what he proposes to himself, nor what will be expected of him.' —'Maurice Hussey to Secretary Dawson, October 1710.' *MSS.* Dublin Castle.

[1] 'William Parker to Secretary Dawson, October 27.' *MSS.* Dublin Castle.

to Trinity College as a reward for their Protestant zeal.

At first the signs were favourable for a short and smooth session. The country gentlemen—it speaks well for their as yet simple and uncorrupted habits[1]—were anxious to be at their homes for the harvest, and so inclined to get through their work rapidly.

Anticipating trouble, the Government had probably deferred the opening of the session to a moment when they knew that the members would be impatient of a long stay in Dublin.[2] The elements of discord, however, were too many and too various, and the prospect rapidly clouded. The grant to the College, with the reasons alleged for it by the Commons, the encouragement of '*Revolution principles*,' was a morsel too hard for Jacobite digestion. Jealous for the Queen's honour, the Lords inserted a paragraph in the address, 'that her majesty had extended her favour to the College at Dublin at such a juncture as must testify to the world, that what her majesty bestowed was not given to promote those principles, upon which it was first applied for, but to encourage university education, the neglect of which had been the means of the growth of ignorance, profaneness, and infidelity, and the loose and wild notions and tenets which had industriously been spread abroad.'[3]

[1] 'Living men can remember when we were as remarkable for our sobriety as we are now for rioting and drunkenness; when our ancestors of the best families had their wine brought in dozens, and sack and spirits were sold at apothecaries' shops as cordials for the sick.'—*Reflexions and Resolutions proper for the Gentlemen of Ireland.* Dublin, 1738.

[2] 'Sir Edward Southwell to Lord Dartmouth, July 13.' *MSS.* Record Office.

[3] *Commons' Journals,* August 4, 1711. *Lords' Journals,* July 17. 'Southwell to the Earl of Dartmouth, July 20.' *MSS.* Record Office.

BOOK II. 1711

The Commons, deeply sharing the feelings with which the whole country had been agitated, looked on these words of the Lords as the first step of an aggressive campaign. Snatching at the glove that was thrown to them, they voted by a large majority, that the Lords had highly infringed their rights, privileges, and liberties; had misrepresented her majesty's goodness; and had insinuated, to the dishonour of their House, that the principles upon which the application was made were such as her Majesty disapproved. The Lords pretended that, by Revolution principles, the Commons had not meant the revolution under William, but had desired to justify rebellion and anarchy. This charge, the Commons said, was false, scandalous, and malicious; highly and unjustly reflecting on their loyalty and honour. They drew a fresh address of their own, protesting 'that the principles on which they had applied for her Majesty's bounty to the College, were such as they could never be ashamed to own, being no other than those to which they owed the preservation of their religion, their liberties, and properties.'[1]

In a House of which more than half the members were nominees of the noble families and great landowners, the passion must have gone deep before it could have assumed a form so violent. The Lords replied undauntedly with a double shot.

The first was an attack on the Dissenters, whose interests they conceived that, in some way or other, their antagonists designed to further. Possessed with an extraordinary obliquity of vision, which inverted the position of persecutors and per-

[1] *Commons' Journals*, August 8. Cf. Southwell's correspondence with Lord Dartmouth, August 1711. *MSS.* Record Office.

secuted, thirteen Bishops and eleven Lay Peers appealed to the Queen against the Presbyterians as savages who denied to their conforming brethren the common offices of humanity. They demanded protection from the rage and obstinacy which threatened the destruction of the Church. They complained that the miserable 1,200*l.* a year was applied to the propagation of schism and the disturbance of the peace of the realm, and they required that the grant should be withdrawn. St. John,[1] already meditating the Schism Act, was but too willing to advise compliance. For the remainder of the reign the Regium Donum was unpaid.

To the accusation of the Commons the Lords rejoined in language as haughty as their own. The Commons had charged them with malice and untruth.' They charged the Commons with having assailed them in language more opprobrious than had been used by another House in another place, when 'it voted the House of Lords useless.' Whatever cause her majesty might have had to approve the conduct of the College, they humbly conceived she could not mean to encourage the principles of Revolution—principles, they said, sufficiently explained by a sermon preached on 30th of January, and dedicated to the Lower House, 'in great measure maintaining and justifying the execrable murder of her royal grandfather, King Charles the First.'[2]

Harvest had come and gone. Determined to fight out the quarrel, the Commons had been contented with a short recess. On the reassembling,

[1] Reid's *History of the Presbyterians in Ireland,*' vol. iii. p. 16.

[2] *Lords' Journals,* November. A copy of the address is in the Record Office.

BOOK II. 1711

the battle raged furiously as ever. In an address to the Lord Lieutenant, they renewed with emphasis 'their steady adherence to the principles of the late Revolution.' The Jacobite members moved to omit words so provocative, but were defeated on a division; and, the day after, anticipating a counter blow, they carried a vote, 'that whoever, by speaking, writing, or printing, should arraign or condemn the principles of the Revolution of 1688, was an enemy to their own House, to the Constitution in Church and State, and to the Hanover succession, and was a friend of the Pretender.'[1] With this characteristic resolution ended the last session of a House of Commons which had been coeval with the reign; which had passed the acts for the repression of Popery, and, though too late penitent, the Test clause, and was now perishing in defence of the same broad principles of liberty which flung Romanism into chains while it was dangerous, and struck them off when its power to hurt had disappeared.

Finding it impossible to proceed with such a House in a policy which was to prepare Ireland to receive the Pretender, Ormond decided at once on getting rid of it. The Parliament was prorogued, and never met again. When the constituencies should have been prepared sufficiently, and there was ground for hope of a High Church majority that could be depended on, the unusual experiment was to be tried of a dissolution and a new election. Ormond returned to London to repair to the army in Flanders, and the government was left to the Chancellor, Sir Constantine Phipps, a friend of Swift and an English Tory.

[1] *Commons' Journals*, November 8, 1711.

Convocation meanwhile, which was still allowed to sit, kept the fire burning, and continued to inflame the Queen against the unhappy Dissenters whom, in the next Parliament, they hoped to be able to annihilate. In a highly curious address the Bishops lamented over the growth in Ireland of impiety and atheism, due in reality to the school of Toland, and Tindal, and Asgill, but which it pleased the clergy to attribute 'to the sectaries who came over in the time of the wicked and detestable usurper, Oliver Cromwell, and had spread the enthusiasm which, under a specious pretence of sanctity, was ever accompanied with sedition.' Both Government and Church, they said, had erred in being over-lenient. Concession had only invited encroachment, and but for the late happy change in government, brought about by the providence of God, Episcopacy had been utterly undone.

The form which Providence had assumed was that of Bolingbroke, who believed extremely little in either God or devil. These reverend gentlemen however, with the extravagant injustice which only religious hatred can inspire, insisted that the Presbyterians would make common cause with deists, socinians, enemies of revealed religion, and even Papists themselves, to dissolve the present form of government. The Low Churchmen and Whigs, they said, were little better. Impiety, profanity, and immorality universely prevailed in the society affected by their influence. 'Wicked and blasphemous healths were used by persons disaffected to the constitution; the prayers in the Litany for deliverance from plague, pestilence, and famine, were turned into a curse upon bishops, priests, and deacons, and all congregations committed to their

BOOK II.

1711

charge, who refused to drink to the glorious and immortal memory of the dead.'

The Bishops, and only the Bishops, understood Ireland, and how to deal with it, not perceiving that they themselves, with their Jacobitism and their blind and stupid bigotry, were the real cause of the weakness of Protestantism. To the Dissenters and the Whigs they added, as a third plague of Ireland, the Papists. 'The Papists,' they said, 'lived continually in hope of aid from the Catholic Powers to root out the Protestants, and shake off the yoke of Britain.' They described them as 'visibly exalted with any ill success to her majesty's arms, and dejected with accounts of victory, their dependence being on France for being restored to their estates.' In noting the causes of the little impression which had yet been made upon the Roman Catholic masses, they pointed, with some sagacity, to 'the unsteadiness of the measures which had been used towards those of that persuasion; sometimes measures of great severity, and then again indulgence and toleration, the laws made against them being rarely executed, and they in consequence, when in greatest difficulties, hoping for a return of connivance.[1]

[1] 'Address of Convocation to the Crown, 1712.' *MSS.* Record Office, Ireland.

SECTION VII.

CHAP. II. 1712

MEANWHILE a second feud, violent as the quarrel between Lords and Commons, had sprung up between the Government and the city of Dublin. To secure a Tory House of Commons, the first step was to appoint Tory sheriffs in the counties, and Tory mayors in the towns. The Dublin corporation set an example of resistance, and from the certainty that, if successful, the precedent would be followed elsewhere, the whole powers of the Castle were exerted to bend or break them. The usual practice had been for the aldermen to elect freely such members of their body as the majority preferred. An obsolete claim was revived by the Government to nominate a select number of candidates, between whom the choice was to lie. Both sides were obstinate. The city elected a Whig mayor, whom the Government refused to recognize. The Catholic mob were for the Castle; the well-to-do citizens and free men were to a man for the corporation; and, for two years, Dublin was without a municipal government. The sheriff slipped away to England to avoid compromising himself with either party, and courts could not be held for want of jurors, and justice was in abeyance through the suspension of all lawful authority.[1]

Ormond's presence being needed in London, the

[1] An enormous mass of papers connected with this strange business are in Dublin Castle. Compare Shrewsbury to Bolingbroke, February 2 and March 19, 1714. *MSS. Ireland.* Record Office.

BOOK II. 1712

Duke of Shrewsbury took his place as Viceroy. The English constituencies had returned a large Tory majority. Queen Anne had by this time probably come to a final resolution to support the Pretender's claims to the succession. Bolingbroke was growing confident of success; and Shrewsbury, more uncertain of his own intentions than Bolingbroke probably supposed, was sent over to make sure of Ireland. Rumour, busy with his name before his arrival, announced that he had been received into the Church of Rome, that the duchess was a professed Catholic, that a chapel was being fitted up for them in the Castle. To the surprise of everyone he allowed favourites of Lord Wharton to remain in offices about his own person, and, more remarkably, immediately after his arrival, he agitated the Tory party by a signal celebration of King William's birthday.[1] This, however, might be only part of a game which Bolingbroke had instructed him to play. The important matters were the Parliament, and an empty treasury; and the Bishops' projects against the Dissenters made it necessary to proceed to an election. It was felt to be dangerous. If the new House proved like the last, the Ministers seem to have resolved to make an end of the Irish Constitution.[2]

[1] *Long History of a Short Session of a Certain Parliament.*

[2] Swift, who was in England, and in close communication with Bolingbroke, sent a significant warning to Archbishop King:—'If your House of Commons,' he said, 'should run into any violence disagreeable to us here, it will be of the worst consequence imaginable to that kingdom; for I know no maxim more strongly maintained at present in our court than that her majesty ought to exert her power to the utmost upon any uneasiness given on your side to herself or her servants. Neither can I answer that even the legislative powers here may not take cognizance of anything that may pass among you in opposition to the persons and principles that are now favoured by the Queen.'—'Swift to Abp. King, October 20, 1713.' *Swift's works*, vol. xvi. It appears from an unpublished letter

But the Tories were satisfied that they would have a majority. 'They had the Council with them,' they said, and the House of Lords with them;' thus supported, 'they had the House of Commons in their pocket, and any one who cautioned them was 'upbraided with the odious name of Whig.'[1] The Chancellor, when the elections were in progress, reported the success as beyond expectation. He was specially delighted with 'the good spirit of loyalty in the mob;' and assured Swift that, 'by the nicest calculations, the Castle would have a majority of three to two.'[2]

Sir Constantine's 'mob' specially distinguished themselves in Dublin. He had been advised to end the mayoralty quarrel before the election. Possibly he preferred to keep the fire smouldering, that it might be the easier blown into flame. Any way there was an Irish row of a genuine kind. The house of the Archbishop of Tuam, one of the few Liberals on the bench, was attacked. A watchman on duty there was knocked down, and, but for a reinforcement of police, the Archbishop himself would have been

of an Irish judge.' Mr. Justice Nutley, that Swift might at this time have exchanged St. Patrick's, to which he had just been promoted, for an Irish bishopric. 'His Grace the Primate' (Narcissus Marsh), writes Sir R. Nutley, 'died on the second instant at two in the morning. I am of opinion that the deanery of St. Patrick's is a fine preferment for a lord lieutenant's chaplain to jump into after one or two months' service; and if you can be tempted to part with your fine house in Dublin for an ill-contrived one on a country bishopric, I can easily cut out a scheme for advancing some eminent, worthy, active, prelate to the primacy, and so three good persons may be promoted at once.'—'Sir R. Nutley to Swift, November 5, 1713.' *MSS.* Record Office. The chaplain, Dr. Godwyn, was made bishop of Kilmore and Ardagh immediately after. The Queen's objections, probably, were as usual fatal to Swift.

[1] Letters signed with a cypher to Swift, December 1713. *MSS.* Record Office.

[2] 'Sir Constantine Phipps to Dean Swift, November 9, 1713.'

BOOK II. 1713

dragged into the street 'for a Whig.'[1] The election going in favour of the Opposition, young Cotter, Sir James Cotter's eldest son,[2] led an attack on the Protestant voters as they were going to the poll. One man was killed; many were injured. The Castle guard turned out to disperse the rioters; but they were recalled by an instant order within the gates, and the too officious officers on duty were put under arrest. In the midst of wild uproar the Castle candidates were declared elected, and the Chancellor and the Council flattered themselves, that, by the free use of such means, 'they had secured such a House of Commons as was never known in Ireland.'[3] They discovered that they had made a serious mistake.

The first intimation of the truth was in the choice of a speaker. Sir Richard Levinge, the Castle candidate, was defeated in a close fight by Alan Brodrick. The Liberal majority increased rapidly as the elections were enquired into. The scenes at Dublin had been repeated at half the towns in the provinces, and Tory after Tory was unseated. 'We are threatened now with an unquiet session,' Sir John Stanley wrote to Bolingbroke. The Viceroy began to flatter and pay court to Brodrick to stave off a quarrel. The last hope was to get the money vote past quietly and end the session. But no such fortune was possible.

The Nonconformists, on Shrewsbury's arrival, had

[1] 'The pretence, as well as the thing, was somewhat extraordinary,' wrote the Bishop of Kildare, in describing the scene to Swift, October 20, 1713. *MSS.* Record Office.

[2] Sir James Cotter had been a distinguished supporter of King James. His son, on his father's death, had been placed by the Court of Chancery under a Protestant guardian. He had been stolen away, brought up a Catholic in England, and married as a minor to a Catholic lady. The career of this idol of young Catholic Ireland had a wild ending, as will be seen.

[3] *Long History of a Short Session.*

presented him with an address for the removal of the Test, intimating that, if their petition were refused, large numbers of them intended to emigrate to New England. Shrewsbury gave an icy answer; and in his speech to Parliament he said, that it was rather the Established Church which required laws for its better security. The Lords announced, in words supplied them by the Bishops, 'that Ireland would be happy if she could be saved from Popish priests and Dissenting preachers.' The Viceroy replied, 'that the Church should be supported against the designs of Papists and the encroachments of any whatsoever.' The Lower House, plunging at once into the conflict and touching lightly on the Church, reinsisted on the obnoxious word *Revolution*. They complimented Shrewsbury, perhaps ironically, on the part which he had himself taken in 1688;[1] and proceeded to denounce, and even threaten to impeach, Sir Constantine Phipps for his interference in the election to the Dublin mayoralty. They voted that he had been the principal cause of the disorders and divisions of the realm; that he was working in secret in the interests of the Pretender; and they petitioned the Queen to remove him from office.

An untoward accident blew the fire into a fiercer flame. The two Houses of Convocation, having drawn an address of their own, had an audience in the presence chamber to present it to the Viceroy. Robert Molesworth, Lord Molesworth afterwards, the

[1] 'To complete your Grace's character, you have also, in a most eminent manner, been instrumental in bringing about the glorious Revolution in 1688, to which, under God, we owe the preservation of our religious liberties and properties.'—'Address of the Commons, November 30, 1713.' *Commons' Journals.*

BOOK II. 1713

member for Swords and a privy councillor, said in a whisper which was audible over the room:

'They that have turned the world upside down are come hither also.'

Molesworth had long been noted as dangerous. He had been a friend of Asgill. He was suspected of intimacy with Toland. His opinions on religious matters were probably no worse than Bolingbroke's. But Bolingbroke's sins were mantled with the political robes of Toryism. Molesworth was a Whig and a Hanoverian.

The clergy started as if stung by a snake. Church and State, God and man, they said, were insulted in such monstrous wickedness. Holy Scripture had been profaned and the Queen outraged in the person of the Viceroy, who was present when such shocking words were spoken. They laid their wrongs before the House of Lords. The Lords demanded a conference with the Commons. The whole Parliament, they said, must combine 'to do justice to that venerable body the Convocation,' and make the guilty person 'sensible of the horrid crime laid to his charge, of impiously profaning the lively oracles of God.'[1] Molesworth's name was struck from the list of Privy Councillors. The Lords required the Commons to show the same zeal which they had shown when they removed Asgill, and expel him from their House.

The Commons passed to the order of the day. They concerned themselves little with the wrongs of the clergy. They desired only to secure themselves and the country against the treachery of the secret

[1] *Commons' Journals*, December 22, 1713.

friends of the Pretender. A rumour spread that he was coming to Ireland: they brought in heads of a bill offering a reward for his capture alive or dead. Edward Forbes, the ex-fellow of Trinity College, had published a book advocating his claims. He was threatened with arrest. An indictment was drawn against him. He fled to England, and threw himself on Ormond's protection, and Phipps quashed the prosecution. A prologue had been spoken in the theatre on the Queen's birthday, which, from the high laudation of the 'immortal memory of William,' had been construed into an affront to the reigning sovereign, and the orator had been arrested by Phipps' order. Not wishing to be accused of faction, the Commons did not choose to refuse the supplies, but they made a statement of grievances a condition of their grant; and, when the Speaker presented the money bill in one hand, in the other he presented a list of complaints. The Commons again insisted that the Chancellor should be dismissed 'for the peace and safety of the Protestant inhabitants of the kingdom.' 'Distinctions of parties had been fostered' at a time when 'unanimity among Protestants' was more than ever necessary. 'Her majesty's loyal subjects had been traduced as enemies to her person and government,' 'exposed to the insults of Papists, and the vilest part of the people.' The persons who had been instrumental in these misrepresentations, 'they could not but suspect to have views directly opposite to her majesty's service and the good of the kingdom.'

Shrewsbury refused to accept a money bill so accompanied. He sent for the Opposition leaders. He told them that 'the Queen was dissatisfied with

BOOK II. 1713

their heats.' He enquired whether, if they were allowed to continue to sit, 'they would drop the matter against the Chancellor.'[1] His labour was thrown away. They threatened to send a Committee to London to lay their grievances before the throne, and the Viceroy found himself compelled to dispense with the supplies, and to prorogue the Parliament till the following autumn. The expenses of the Government were reduced on all sides, to be brought, if possible, within the limits of the hereditary revenues; and Bolingbroke determined to show Ireland that he intended to be her master, and that if she could not be trusted to legislate for herself, he could legislate for her from London.

So closed the session, which was to have laid Ireland at the feet of ecclesiastical Toryism, and prepared the way for the accession of the Pretender, and the exclusive dominion there of the Peers and High Church Bishops, who were mad enough to believe that, when the Whigs were put down, and the Presbyterians and French Calvinists driven out of the kingdom, they could themselves hold a monopoly of power, and fashion people and country after their own formulas. Shrewsbury returned to England, leaving the sword in his absence to the detested Phipps and the secretary Sir John Stanley. The army had shown dangerous tendencies; being devoted to Marlborough, and especially indignant at the peace of Utrecht, it was feared that in case of disturbance, the soldiers might side with the Whigs, and orders were sent to disband the suspected regiments. This order was carried out with difficulty. Ker's

[1] 'Shrewsbury to Bolingbroke, January 5, 1714.' *MSS.* Record Office.

dragoons at Cavan and Colonel Pepper's at Athlone refused to part with their arms; five companies of infantry openly mutinied; but they were all at last persuaded or overawed into submission,[1] and the country lay still in sullen calm.

Bolingbroke, meanwhile, was carrying through the English Parliament the famous Schism Act.[2] By a singular combination of accidents Queen Anne's last ministry proved able for a time practically to repeal the Toleration Act; to prohibit Dissenters, under severe penalties, from teaching their own opinions to high or low, in school or college. Political liberty, as Bolingbroke well understood, had its root in liberty of religion. With religion once safely encircled with an iron ring of Prayer-Book and Articles, the revolutionary spirit would be broken; and, under the supremacy of a Church, where zeal was impossible and enthusiasm suffocated in formulas, intelligent statesmen could resume a control, with which Protestantism, while it continued alive, was for ever interfering. He carried his bill through the Parliament at Westminster. He had intended, doubtless, that a willing House of Commons should pass a similar bill for him in Dublin. As Ireland was mutinous, she could be at once taught that her constitution existed on sufferance, and that the desired work could equally well be accomplished by a clause attached to the English act. Bolingbroke himself rose in the House of Lords, and moved that the provisions of the law should be extended to Ireland.

[1] 'Stanley to Bolingbroke, April 15, 1714.' *MSS.* Record Office.

[2] 'Act to prevent the Growth of Schism, and for the further Security of the Churches of England and Ireland as by law established. 12 Anne, cap. 7. *English Statutes.*

BOOK II. 1714

Shrewsbury, himself fresh from a conflict which had taught him better to appreciate the relative value of Irish parties, attempted to stay the progress of so rash a measure. The Church bigots, led blindly by a chief who in his heart despised them more heartily than the most contemptuous of Whigs, clamoured down opposition. The motion was carried, thirty-three liberal Peers, among whom to their honour were four Bishops,[1] leaving on record their ineffectual protest.[2] But the castle in the air was no sooner finished than the foundation sunk, and the ambitious superstructure fell down in ruins. On the 1st of August, 1714, the day on which the Schism Bill was to come into operation, the Queen died; and the Tory ascendancy, on which the liberties of England and Ireland had so narrowly escaped shipwreck, was over. In a few weeks another Parliament met, and Oxford went to the Tower, and Bolingbroke and Ormond were attainted fugitives.

[1] Ely, St. Asaph, Bangor, and Llandaff.

[2] The miseries we apprehend here are greatly enhanced by extending this bill to Ireland, where the consequences of it may be fatal. For since the number of Papists in that kingdom far exceeds the Protestants of all denominations together, and that the Dissenters are to be treated as enemies, or at least as persons dangerous to that Church and State, who have always in all times joined, and still would join, with the members of that Church against the common enemy of their religion; and since the army there is very much reduced; the Protestants thus unnecessarily divided seem to be exposed to the danger of another massacre, and the Protestant religion in danger of being extirpated. We may fear the Scots in Britain, whose national church is Presbyterian, will not so heartily join with us in our defence when they see those of the same nation, same blood, and same religion, so hardly treated by us. And this will be still more grievous to the Protestant Dissenters of Ireland, because, while the Popish priests are registered, and so indulged by law as they exercise their religion without molestation, the Dissenters are so far from enjoying the like toleration, that the laws are by this bill enforced against them.'—*Parliamentary History*, vol. vi. p. 135, 136.

CHAP. II.

1714

The House of Hanover was established firmly on the throne, and the political supremacy of the Bishops of the Church of Ireland was at an end for ever. Yet the baneful influence of principles, the absurdity of which is now so patent to the simplest student of the Irish problem, survived for two generations to work disaster and confusion, and to paralyse the sinews of Protestantism. Jealousy of the Presbyterians rankled still in the most powerful intellects which the Church of Ireland produced. It made useless to the true interests of his country the gigantic understanding of Swift. It led Berkeley into the same theories of passive obedience, which had crippled the resistance to Tyrconnell; had perplexed and irritated William; had divided those who, united, might have prevented the second civil war, and might have made unnecessary the second series of confiscations. Worse than all, it perpetuated the disunion of the two great branches of the Protestant colonists, who, if the Reformation was a lawful revolt against unjust authority, were in essentials one. It prolonged the disabilities of that section of the Protestants who alone possessed missionary power, whose crime was the ability to make proselytes among the Celtic Catholics. Last of all, in our own days, the spent force of the division of the Protestant interest in Ireland has shown itself in the disestablishment of the once haughty Church which, had she taken the Presbyterians within her limits, when they were willing and eager to be her friends, might have defied for another century the malice of her enemies.

CHAPTER III.

PROTESTANT ADMINISTRATION.

SECTION I.

BOOK II. 1715

THE loyalty or the apathy of the Irish Catholics in the rebellions of 1715 and 1745 has been pleaded as an argument to prove the injustice or the folly of the penal laws. We are asked to believe, that their devotion of England was proof even against gratuitous cruelty; that twice they let pass an opportunity for achieving their freedom, rather than soil their honour with the taint of rebellion. It is true, and it is the most remarkable fact in Irish history, that Ireland did remain, on these occasions, undisturbed. Even when, later in the century, encouraged by the revolt of the American colonies, the Irish Protestants rose at last and wrenched out of the grasp of the English Parliament the legislative instruments of oppression, by which they had been so long racked and tortured; when the sympathy between the Irish Nonconformists and the American States was so keen that Paul Jones found a welcome in every Irish harbour that was unoccupied by an English squadron; when English commerce was swept out of St. George's Channel, and the Holyhead passage yachts were searched and plundered by privateers under the American flag, fitted out and

manned by Protestant adventurers from Wexford and Dublin, it is true, that the staunchest friends which the English Government possessed in the island were the representatives and great grandfathers of the Catholic Irish peasantry, to whom America is now the land of promise, and whose dream is a liberated Ireland under the protectorate of the Stars and Stripes. In 1760, when Munster was in agrarian revolt, and the French, striking, as they supposed, at a vulnerable point in England's armour, attempted an invasion there, the minutest scrutiny failed to detect either correspondence or sympathy between Versailles and the Tipperary Whiteboys. In 1745, Irish Catholic Bishops were in communication with the Castle, prepared, should any movement be attempted in favour of the Pretender, to give information of it; but the occasion never arose. The inference, notwithstanding, that a people so well disposed ought to have been trusted and encouraged, may be premature, and even altogether erroneous. This attitude of the Catholic clergy was due to their having learned to look on England as their protector against the Protestant Parliament. The Catholic masses, deprived of political power, had ceased to struggle against their chains. Mutilated and miserable as the penal legislature had been made; immoral in its details, unaccompanied with any one of those remedial measures, without which coercion becomes tyranny, yet the distinct assertion of authority had produced an impression on the imagination of the people, and in its partial success pointed to the only method by which England and Ireland could really be made one. Among the peculiarities of the Celtic peasantry, one of the most striking is a contempt for

BOOK II. 1715

those who are afraid of them; a submissiveness and even real attachment, which is proof against much injustice and many cruelties, to a master who is a master indeed. The relations of men to one another become healthy only when the truth is seen and confessed. Elizabeth forbade her viceroys to meddle with religion, and she had to encounter three bloody insurrections. Under Charles the First there was a Catholic majority in the Irish Parliament with the practical enjoyment of civil and religious equality. The reward was the rebellion and massacre of 1641. A third of the confiscated estates was restored to the Catholics at the Restoration. The titular bishops were received at the Castle. Catholic laymen became magistrates, sheriffs, judges, officers in the army. At length they had their own Parliament; and they showed their gratitude for these indulgences by repealing the acts of settlement, and by attainting 3,000 Protestant landowners.

Once more they had been made to yield to superior force, and this time the force had not been afraid to assert itself. The beaten party was compelled to know that they had no alternative but to yield, and ninety years followed of undisturbed political tranquillity; good humoured submissiveness in the place of chronic anarchy; and, instead of indignation against a tyrannical law, a feeling rather of gratitude for the comparative lenity with which, in general, the law was enforced.

In 1715 the exasperation and bitterness produced by the last war were subsiding, but had not yet disappeared entirely. There were many officers still in Connaught who had fought at Aghrim, and Galway had been lately prepared to receive a French expedi-

tion. Tens of thousands of young Irishmen were in the French service, and thousands more were continually recruited under the name of Wild Geese, and shipped off from the secluded bays of Cork and Kerry. They went out as for ever expatriated, but they intended to return in better days with the French army, which was to give them back their liberties; and had Bolingbroke succeeded in gaining a footing for the Pretender in England, or had Ormond afterwards effected his intended landing at Waterford, it would have been seen that the old party of Tyrconnell and Sarsfield had life enough remaining to strike once more for Irish liberty. On the whole, however, except among the Bishops and Anglo-Irish Jacobites, the cause of James the Third created no enthusiasm. The native Catholics had no cause to love the House of Stuart. They had not forgiven the Act of Settlement. They had not forgotten the cowardice and flight of the Pretender's father. Unless they could separate the crowns of the two kingdoms as well as the legislatures, they had reason to believe that the policy of one English king towards them would not differ very widely from that of any other English king; and, taught by the experience of 1692, they preferred that the battles of Ireland should be fought elsewhere.

'The Papists,' said Swift in 1725, and his great authority is echoed by every contemporary document, 'would doubtless gladly have their superstition restored under any prince whatever, yet the Pretender's party is at an end. Very few now alive are in his interest. The Papists in general of any substance or estate, and the priests almost universally,

BOOK II. 1715

are what we call Whigs in the general sense of the term. They feel the smart and see the scars of their former wounds. They well know they must be made a sacrifice to the least attempt towards a change.[1]

Thus the accession of the House of Hanover passed off as quietly in the wilds of Kerry as in Kent and Sussex. Guns were fired, bonfires lighted, tuns of claret broached and emptied in the streets of every town in the four provinces; and no word of disaffection was heard above a whisper from the Giant's Causeway to Valentia.

[1] 'Address of the Drapier to both Houses of Parliament.'—*Swift's Works*, vol. vii.

SECTION II.

CHAP. III. 1715

THE persistent determination to govern under the forms of the constitution, to maintain the exterior show of liberty among a people who could not be trusted with the reality, although under some aspects plausible and honourable, yet prolonged the agony of the Irish nation, and, like all insincerity, created more evils than it cured. The Irish Parliament was to be maintained; but, to prevent the Parliament from being troublesome, it was chained by Poynings' Act; three-quarters of the population were disfranchised; and, when the Parliament was recalcitrant, laws were passed in England over its head. Trial by jury, the most precious birthright of Englishmen, was regarded as the inalienable privilege of every subject of the British Crown, and as such it was maintained in Ireland, but the forms of freedom avail only to those who can make a wholesome use of them. Convictions could not be obtained against Catholic bishops and unregistered priests, and the destruction of the Catholic religion had to be pursued through the circuitous action of a law which undermined the foundations of society. The acts of Anne for the repression of Popery had been framed to throw into Protestant hands the entire land of Ireland. The opportunities for evasion had been at length closed so carefully that, for a family to preserve their estates who continued to avow themselves Catholic, had been made really difficult. The

BOOK II.

1715

object aimed at may have been not in itself unjust; the means by which it was pursued were detestable. A son, who had quarrelled with his father, could demand a maintenance on declaring himself a Protestant, and there was thus a premium on dishonest conversions, and an encouragement to disobedience in children. A Protestant informer, who could convict a Catholic of concealing his property, could dispossess the owner in his own favour. The disabilities extending to leases, to trades, and professions, the temptation to spiritual dishonesty, was carried down among the middlemen, the tenant farmers, the lawyers, and the shopkeepers; and the ranks of the Protestants were swelled by gentlemen and men of business who, in forfeiting their self-respect, lost with it the sense of common right and wrong.

The first of the two acts had been comparatively unsuccessful. The loose wording of the penal clauses had created a belief perhaps that, like so many other laws in Ireland, it had been designed merely as a threat. It had been neutralized by transparent concealments and fictitious conveyances, and in the six years in which it remained unsupplemented, thirty-six Catholics only had conformed. The second act—the clause especially which enabled any Protestant to make his fortune by a successful information—convinced them that if they would retain their properties they must abandon their creed; and produced in reality or appearance, instant and extensive conversions. Many Catholics, probably, sold their estates and emigrated to France. Many more preferred their homes under hard conditions to perpetual expatriation; and, before 1738, a thousand

Catholic families of rank and consequence had been received into the Establishment; some in appearance only; some in indifference; some from the commonplace belief that truth is on the side of the strong; some, possibly, but very few, from real conviction. Whatever the motive, the result to the country was the same.

'The greatest part of the Catholic gentlemen,' says an Anglo-Irishman of the time, 'who are either distinguished for understanding or fortune, have actually come over to our Church, and renounced the errors of Rome. If some are not sincere, their children and grandchildren will certainly be so, and it is likely therefore that the people will follow. 'If once,' this writer continues, and the parallel which he draws must be remembered, since it was the moral justification of these laws in the minds of those who passed them—'if once the Popish clergy were as effectually removed as the Huguenot ministers are in France, we should soon see our churches filled with converts as much as theirs; and as they are already sentenced by our laws as civil enemies to our constitution and country, so nothing but the executing of those laws, and providing for the instruction of the Irish, can perfectly heal the wounds and maims of our divided nation. I can by no means think our laws are chargeable with a persecuting spirit in this matter of the Popish clergy; nor do I think there is a nation under heaven which would have borne with them so long with such gentleness and lenity under such dreadful provocation; and their attempting so often, by massacre and rebellion, to overturn our constitution, and make one grave for our laws and people.'[1]

[1] *Reflexions and Resolutions for the Gentlemen of Ireland*, 1738.

BOOK II. 1715

With the accession of the House of Hanover and the failure of the rising in Scotland in 1715, Romanism had become in fact, in the eyes of the intelligent laity, a lost political cause. From an authoritative creed controlling the actions of states it dwindled into a mode of opinion; and whatever ground might be found either in France or Spain for future interference in Ireland, the occasion would no longer be religion. The Catholic gentry, so long as they adhered to their creed, were cut off from the public life of the empire, and every motive of interest or ambition tempted them to conformity. In the better cultivated parts of the country, even among the peasantry who had no land to lose, and no career to which to aspire, the feeling for Popery from other causes was for a time rapidly waning. They resented the extortionate payments demanded of them for the support of the priests. The potato, though spreading fast, was still an exceptional article of food among them before the middle of the last century. They continued to live chiefly upon meat, and, when Lent came with its compulsory fasts, the conscientious among them were in danger of being starved.[1] On all estates where the Protestant landlords resided, their tenants transferred to them the affectionate fidelity with which they had regarded their hereditary leaders. Far unlike the Presbyterian artisans, they clung to their homes, and were 'averse to American rambles.'[2] 'When the leaven of Popery

[1] 'The observing of Lent is a great cause of idleness. It is not only a time of fast but of famine. The poor Irish are fed on very bad flesh seven-eighths of the year. In Lent they are famished. They are so hunger-starved in this dreadful time that I have heard a good Catholic wish the priests would allow them to eat the kites and hawks, rooks, crows, and foxes in that season.'—*Reflexions and Resolutions.*

[2] *Ibid.*

had not soured their natures, they were faithful and attached servants;' and when opportunities were opened out to them they were 'capable of being made excellent husbandmen, soldiers, sailors, workmen, merchants, and scholars.' 'The earth-tillers,' as they had been contemptuously called in the old days, were in fact showing all the qualities which, when they were kept at work and kindly treated, had always been seen to belong to them. Their superstitions were dying out, and they were 'Papists rather from custom than conviction.' 'The living so long among Protestants had itself introduced a kind of reformation among them.' 'They thought charitably of the salvation of Protestants, more slightly of the Pope's authority, and they read the English translation of the Bible.' They understood and acknowledged that they were suffering the actual consequences of the rebellion and massacre of 1641; 'that their contending for a Popish prince and interest in Ireland' was folly; 'and that their zeal that way had been as vain and silly as the old sacrificing their lives in the quarrels between the Kildares and Ormonds.' 'They had obtained juster notions of Irish history.' 'They saw how they had been made the tools of other men's ambition.' 'The affectation of speaking Irish was gone; scarcely one in twenty of them did not understand and speak English well.' 'They were being brought to like and know English customs, manners, and habits;' and such of them as had made money by trade or manufacture, 'were running fast into the neatness and plenty of the English way of living.'[1] Such is the description of the settled districts in Ireland given by one of the

[1] *Reflexions and Resolutions for the Gentlemen of Ireland*, 1738.

BOOK II. 1715

resident Protestant gentry in 1738, indicating a disposition which, had fair play been allowed to the industry of the country, must have soon obliterated the traces of old animosities. Although there were remarkable exceptions, hereafter to be noticed, religious differences were generally losing their bitterness, and even the penal laws themselves were made a means of extending charity and good feeling. Many Catholic families retained their properties without sacrificing their creed, by conveying them to a Protestant kinsman or neighbour. The terms of the statutes were so stringent that they were obliged to trust entirely to honour and good faith; yet in no known instance was their confidence abused. Where children, really unworthy, claimed the protection of the clauses which would render them independent of their parents, Protestant judges and chancellors were not found to ignore in their favour the elementary principles of morality.

A few instances of appeals for maintenance will show how the law was practically worked.

The first recorded case is that of the Cusacks. By the act of 1703, a Catholic gentleman, whose eldest son was a Protestant, became tenant for life. He was placed in the position of an owner whose estate is entailed, and since many children had been disinherited by Catholic parents as a punishment for changing their faith, the restriction, under the circumstances of the country, was not unreasonable. Robert Cusack[1] possessed real property, worth something over a thousand pounds a year. By his first marriage he had one son, named Adam. Be-

[1] Younger brother and heir of Adam Cusack, puisne judge of the Court of Common Pleas in 1672.

coming a widower, he married again, and had another son and a twin daughter. Family quarrels followed. The eldest son, supported by his mother's brother, insulted his stepmother, disobeyed his father, squandered money in idleness and extravagance. The father withdrew his allowance; the son, of course with the worst motives, declared himself a Protestant, and appealed for maintenance to the Court of Chancery. The case came before Sir Richard Cox, in 1705. The son pleaded that the settlement made at the first marriage had been tampered with. The father replied, that he had acted only within his legal powers. The original settlements were examined and reported on. The Court allowed the son 80*l.* a year during his father's lifetime, which was afterwards raised to a hundred.[1]

Infants were not allowed to plead conversion, though supported by Protestant relatives. Application being made for maintenance for a boy of nine years old, the court ruled that the act gave no relief till 'a child had come to years of discretion to conform.'[2] Fitz Patrick *v.* Fitz Patrick was a case resembling that of the Cusacks. An elder son married against his father's consent, turned Protestant, and applied for an allowance. The Chancellor, severely condemning the son's conduct, gave him 80*l.* a year, as the least which the law would permit, and enabled the father to encumber the estate very heavily, for the use of his Catholic children.[3]

Although the law encouraged informers, their occupation was odious. Their attempts to possess themselves of other men's properties were defeated when

[1] Case of Cusack *v.* Cusack, 1704–5. *MSS.* Dublin Castle.

[2] Fitzgerald *v.* Fitzgerald, June 30, 1762. *Howard's Popery Cases.*

[3] *Ibid.*

BOOK II. 1715

defeat was possible; and again, informers themselves were often in collusion with those against whom they informed, in trust for some concealed party.

Cases of course can be produced of an opposite kind;[1] and the practice of the courts was a very school of lying, and a discipline of evasion. No laws could have been invented, perhaps, more ingeniously demoralizing. Yet unquestionably the acts were not, as a whole, carried out with the triumphant recklessness of a dominant faction. The Catholics had themselves rendered legislation necessary, by introducing the question of religion into the disposition of inheritances.[2] The judges in these decisions at least recognized the necessity of preventing the law from being abused by profligate children.

[1] The case of Martin Blake is a good illustration of the worst operation of the act, and shows among other things, that it sometimes defeated its own object.

Martin Blake, a Catholic, bought some lands in the name of Sir Henry Bingham, and other lands in the name of Lynch. Sir H. Bingham, evidently in collusion with Blake, brought an action of ejectment under the Popery Act, for the lands bought by Lynch, and got a verdict. Afterwards Blake became a Protestant, and Sir H. Bingham conveyed the estate to him openly. But, on proof twelve years later, that Blake had enjoyed the profits of the lands ever since the original purchase, and that Sir H. Bingham never meddled with them, all the lands were decreed to the discoverers, and Blake was made to account for the rents which he had received meanwhile, 'there being a manifest combination to elude the act.'—Howard's *Popery Cases*, June 16, 1727.

[2] The Nugents' case indicated a real grievance. Hyacinthe Nugent, eldest son of Thomas Nugent, of Pallas, called Lord Riverstown, a Catholic, with large estates, conformed to the Established Church, and married Susanne Catharine, daughter of Sir Tristram Beresford — the Popery Act being accepted by the Beresfords as guaranteeing a settlement on the wife. Lord Riverstown refusing to make an allowance, the son joined the English army in Spain, and served as a cornet of dragoons. Thence he returned to Ireland, when, 'by pernicious Popish counsels and other wicked insinuations,' he was prevailed on to forsake his wife and return to Popery; and, 'in order to elude the law and injure his wife, went, 'by means of his Popish relations, into France to the service of the French king.' The case came before Parliament, and, by a private act, in 1711, the wife was allowed a maintenance out of Lord Riverstown's estates. —*MSS.* Dublin Castle.

SECTION III.

CHAP. III. 1715

THE working of the second branch of the penal laws directed against the succession of the clergy, may be described more briefly. These laws, though more definite in theory than the laws affecting property, more in accordance with the general practice of Europe, and justified by provocations with which no people in the world but the English would have dealt so forbearingly, remained a dead letter on the statute book, and were heard of only in periodical lamentations over their neglect. The Catholic religion, though proscribed and insulted, was suffered to grow unchecked, to take exclusive possession of the increasing numbers of the peasantry, to educate them, to mould and shape them from their cradles to their graves, and to neutralize the natural disposition to please their political superiors, which, had they been let alone, would have swept them into conformity.

'If the Popish clergy were as effectually removed as the Huguenot ministers,' says the writer whom I have so often quoted,[1] 'we should soon see our churches filled with converts.' It was first necessary that there should be churches for them to fill. Zealous as they had been for their own privileges—clamorous against Dissenters—in possession of all the wealth of the ancient sees—so rich that, when they went to England, they required separate vessels to carry their horses and servants to Holyhead—with sufficient influence over the peers and the leading gentry to perpetuate

[1] *Reflexions and Resolutions for the Gentlemen of Ireland.*

BOOK II. 1715

the disabilities of the Presbyterians, and drive them by swarms into exile, the hierarchy of the Irish Establishment had provided, in 1728, for the spiritual instruction of the entire island 600 beneficed clergy.[1] That was the sum of their militant forces all told. So poor were the incumbencies, that though pluralities were unabated, and eight, nine, sometimes twelve or thirteen cures of souls were heaped on one man, his whole income did not always reach 100*l.* a year. On these 600 men were thrown, by the law, not only the Church services but the duty of providing schools in every parish; yet the Government allowed the Bishops to prohibit the scattered Protestant settlements from electing pastors of their own; and, in the face of so extraordinary a combination of negligence and bigotry, the execution of the law to prevent the incoming of priests from abroad, or the ordination of fresh priests at home, was of course impossible. It was left to stand a confession of impotence, to bring law itself into contempt. While he gave so miserable an account of the Establishment, the Primate was obliged to add, that there were 3,000 priests in Ireland. All, or almost all of them, were by that time, according to the letter of the statute, liable to transportation; and to death as felons if they returned. Yet chapels were built, and mass was

[1] There are in Ireland 600 incumbents and, I fear, near 3,000 Popish priests. 'The Primate (Archbishop Boulter) to the Duke of Newcastle, March 7, 1728.' *MSS.* Record Office. By contrasting the number of incumbents with the number of priests, the Primate indicates that the curates were either too few in number, or too insignificant in themselves to be worth considering. 'The bulk of our clergy,' he goes on, 'have neither parsonage houses nor glebes. Yet, except we get more churches and chapels, and more resident incumbents, instead of gaining ground on the Papists, we must lose to them as we do in many places.'

said openly without interference. Occasionally when there were threats of invasion, some spasmodic onslaught was directed half insincerely from the Castle. But sheriffs shrunk from issuing warrants. Grand juries might send up bills, but petty juries refused to convict. Informers, so ready to betray Rapparees and Tories, could neither be bribed or frightened into giving evidence against the clergy. Country magistrates, without a certainty of support from the Government, would not court unpopularity by gratuitous activity, which might embroil them with their tenants; and the Government at home, in alliance usually with one or other of the Catholic powers, made a merit of yielding to the intercession of foreign ambassadors, and ordering the suspension of the laws against their co-religionists.[1] Even when there was real alarm, and the Castle authorities

[1] From the multitude of reports I select two almost at random. In the alarm of 1715 the grand jury of King's County desired Secretary Dawson to acquaint the Viceroy, 'that the late insolent behaviour of the Papists in that county was owing to the priests not being brought to justice,' and 'that several persons who were active in summoning persons to give evidence against them had been threatened.' 'That priests officiated generally who had not taken the Oath of Abjuration, and who were not registered.' 'That many indictments had been presented by the Grand Jury, but only one priest in the county had been tried and convicted.'

The Grand Jury of Galway reported that:—'Great numbers of friars had within very few years come into the kingdom, and settled themselves in that county. At the close of the late reign *great discouragement had been given by the men then in power to such as were active in suppressing friaries and putting the laws in execution.* After such discouragements they conceived it would be of singular use to issue commands to the magistrates to be more vigorous for the future, and to direct the military power to assist them. At the late quarter sessions great numbers of priests had been presented for celebrating mass, not having taken the Oath of Abjuration, and several Papists of the first rank for carrying arms, not having qualified themselves so to do. Those presentments were in the hand of the clerk of the peace, but no process had issued pursuant to them.' — *MSS.* Dublin Castle, 1715.

BOOK II. 1715

had roused themselves to more vigorous resolution, the magistrates had learnt by experience, that negligence was less dangerous to them than promptitude. In a common-place book of some responsible person, perhaps one of the judges, there is a passage on the subject which is curiously explicit. 'The Papists,' says this writer, 'by law are allowed a priest in every parish, which are registered in pursuance of an act of Parliament made ten years ago. All bishops, regulars, and other priests, not registered, are banished, and none allowed to come into the kingdom under severe penalties. The design was, that there should be no succession, and many of those then registered are since dead. Yet, for want of due execution of the laws, many are come in from foreign parts, and there are in the country Popish bishops concealed that ordain many. Little enquiry of late has been made into these matters. As to the Roman Catholics I think it impossible, while they continue such, to reconcile them to his majesty's interest; and, therefore, all means ought to be used to prevent their doing mischief. *Our laws are already too severe against them, but meet with no execution, and the management towards them has been so uncertain for fifty years last past, in truth ever since the Reformation, that none dare trust the Government so far as to exert themselves in earnest against them; for such an act, in a few years, it is imputed to him as a crime.*'[1]

As in later times, an Ecclesiastical Titles Bill passed through Parliament with acclamation, yet, from the first day that it received the consent of the Crown, was treated with ostentatious contempt, so these seemingly barbarous statutes against the Irish Catholic

[1] *MSS. Ireland.* Record Office, vol. cccxxxix.

clergy were but as unshotted cannon, loud sounding and conspicuously impotent. Those priests who went through the form of registering themselves and taking the oaths were treated as poor creatures, and were removed from their cures to make way for bolder spirits.[1]

In 1721, in Dublin itself, under the very shadow of the Castle, the Catholic Primate resided, ordained clergy, and exercised jurisdiction without attempt at concealment. A bishop of Meath and a body of Capuchins found shelter under the roof of an officer in the service of the Crown ;[2] and there were other establishments of Augustinians, Franciscans, Carmelites, and Dominicans, whose existence was perfectly well known to the authorities. The bishops lived in quasi retirement for a few years after the passing of the Act, but they emerged as they found themselves unmolested, and their assistance soon came to be made use of in the Government of the country. English administrations, one after the other, thinking of nothing but the convenience of the moment, saw the Catholic Irish doubling and trebling their numbers, and took no heed of a phenomenon which would not ripen in their time to mischief. The Catholics were

[1] 'The priests take the Oath of Abjuration, but confess it as a sin to other priests, and receive absolution. It is a melancholy reflection of living among men whom neither oath can bind, nor justice and lenity oblige to fidelity to our Established Church. We receive daily information of multitudes coming lately into this kingdom, and their superiors turning out the registered priests as a dull inactive sort of people, and placing others in their stead, who will be more useful to their evil purposes.' — 'Gilbert Ormsby to Secretary Dawson, October 13, 1712.' *MSS.* Dublin Castle.

[2] 'Todos estos frailes capuchinos viven en la misma capilla que fué fabricada en la casa de M. Clemens, pagador en la tesoria de su Mag^{d}.'—*MSS.* Record Office. The account from which .I quote being in Spanish proves whence these monks had come.

BOOK II. 1715

a weapon in their hands to keep the Protestant gentry from being troublesome. They allowed the penal laws to stand, and the odium of them to rest on the Irish Parliament. But the success which would have been the justification of those laws, they took care to make impossible; thus ensuring their eventual repeal with the ignominy which necessarily attaches to tyranny which has failed.

So cruel or so careless was the administration of Sir Robert Walpole, that he would not even make known his real wishes. If the Catholic clergy were not to be punished, they ought to have been recognized. A carefully considered plan was submitted to the crown, by which a supply of secular priests could be maintained and licensed, while the regular clergy should be removed.[1] But the Irish Parliament were still allowed to believe, that England sincerely wished that Popery should be extinguished. Viceroy after Viceroy was permitted to urge from the throne a more thorough execution of the law; and the Protestant gentry, conscious of the dangers to which they were increasingly exposed by the multiplication of the Catholics, in defiance of a law which it was inevitable that they must resent, were encouraged in their perplexity to invent fresh penalties of which the threat might perhaps prove a deterrent. Left to themselves they could have perhaps themselves removed a law which they could not carry out. Sir Robert Walpole preferred that they should stand over the Catholics with a brandished whip, and that he and England should earn the gratitude of the bishops and priests, by arresting the arm ere it could fall.

Charles Hogg to the King, December 10, 1723.' *MSS.* Record Office.

SECTION IV.

CHAP. III. 1715

Since forcible conversion was tacitly abandoned, the form of Protestantism which could hope to become the religion of Ireland, could be only that which showed spontaneous vitality. Congregations were willing to support Catholic priests; congregations were willing to support Presbyterian ministers. The clergy of the Anglo-Irish Church existed only on endowments. The Presbyterians made converts among the Catholics; the Church made none, or only such as she could have better spared, which were made for her by the Popery Act; while, for every reluctant or interested conformist, she lost ten, twenty, or thirty of the scattered Protestant peasantry in the southern provinces, to whom she forbade their own ministrations, and who, since they could not have what they desired, preferred the priest and the goodwill of their neighbours. Cruel and even blind as England was to Ireland's interests on so many sides, she at least perceived the absurdity of maintaining the Test clause. If the peasantry were not to be driven, there was still a chance that they might be won; and no sooner was George the First on the throne, and the Tory junta dismissed and scattered, than Wharton's policy was revived, and the removal of the Test, so unhappily and inadvertently imposed, became the most ardently desired object of the new ministers. When the rebellion began in Scotland, an insurrection in Ireland had been confi-

BOOK II.

1715

dently looked for.[1] The militia were again called out. The Presbyterian leaders held a meeting at Belfast to consider how they should act; and, though strictly disqualified, they came to an honourable resolution, 'to risk everything for his majesty's service,' and trust to the clemency of the Government to screen them from prosecution. They communicated their intentions to Mr. Conolly, a distinguished member of the Irish Council. Conolly wrote to the Lords Justices guaranteeing their loyalty; and, at his request, commissions were issued to the Presbyterian gentlemen. The ranks of the regiments were immediately filled; and, over and above the regular troops, thirty thousand men were at once in arms, sufficient, if rebellion had been attempted, to crush it out on the instant. The lesson was not thrown away. Owing to the leaven of Jacobitism in the Establishment, the Presbyterian was the only body on whom England could thoroughly rely in a struggle with the Pretender. The Queen's death had dissolved the last Parliament. A new election, it was hoped, would give the Liberal party in the Lower House a sufficient majority to enable the Government to force the repeal of the Test clause upon the Peers.

The Regium Donum, which had been discontinued for four years, was restored and increased. Sunderland, a tried friend to the Dissenting interest, was appointed Viceroy. Sunderland himself was unable to leave London; but he received a deputation from the Ulster Synod, and promised them all the aid in his power. The Duke of Grafton and Lord Galway came over as Lords Justices, and by them Parliament was opened on the 14th of November.

[1] 'Sir William Caulfield to Secretary Delafaye, August 1, 1715.' *MSS.* Record Office.

The battle seemed to be won, when Conolly, the Presbyterians' especial supporter, was elected speaker by a large majority.

The speech from the throne recommended 'such unanimity as might end all distinctions, save those between Protestant and Papist.[1] The Commons, after a passionate censure of the late Tory Ministry, charging it with having brought the Protestant interest to the edge of destruction, took into consideration the heads of a bill for the security of the King's government, in which, among other provisions, was a clause indemnifying the Presbyterians who had accepted commissions, and declaring that, for the future, Nonconformists might hold rank in the army and militia without danger of prosecution. A measure of relief so small and tentative, so obviously politic and just, was not carried without violent opposition. It was carried, however, and was sent to the Upper House. At once the animosities which had broken up the last Parliament revived in all their fury.

The Bishops and clergy had been unable to prevent the establishment on the throne of the House of Hanover, the symbol of the principles which they most feared and hated; and disappointment made them furious. So violent were the clergy, that few of them could be found to mention the names of the King and the Royal family in their prayers before their sermons.[2]

The Peers and Commons formed themselves into a loyal association for the protection of the King's person. The Bishops could not refuse to participate

[1] *Commons' Journals*, November 14, 1715.

[2] 'Most of the clergy neglect to mention his majesty and their

BOOK II. 1715

without confessing themselves traitors; but the Primate, after a three days' struggle, when everyone but himself had signed, at length attached his name with an ill grace on the margin of the page, from which it could be cut off when the Pretender came to his own.[1]

To men in such a humour the Dissenters Relief Bill was as oil on the fire. Perceiving that the clause would be carried in the Lower House, the Archbishop of Dublin anticipated its appearance by introducing the heads of a second Indemnity Bill of his own, holding the Dissenters harmless for what they had already done, but maintaining their disabilities for the future as rigidly as ever. Everyone of the Bishops supporting him, he carried his point, and, instead of considering the heads which came from the Commons, the Lords sent in the Archbishop's bill by the side of the other, for the Council to digest them into one, and transmit it to England.

In the Council the question was rediscussed, and the Duke of Grafton laboured hard to bring about a compromise. The Bishops condescended to admit that they did not wish the Dissenters to be prosecuted for having taken arms when called on by the Government to defend the country. They agreed at last that commissions in the militia should be opened to them then and always; but the regular army, in

Royal Highnesses in the prayers before their sermons, which is an omission we cannot redress without a direct order from the King.'— 'Secretary Delafaye to Lord Stanhope, January 22, 1716.' *MSS.* Record Office.

[1] 'The Primate signed at the bottom, from whence his name might be cut off in time convenient. He did it, but with a very ill grace, two or three days after everybody else.' — 'Delafaye to Stanhope, January 24, 1716.' *MSS.* Record Office. The bond with Lindsay's name attached, as Delafaye describes, is in the Record Office.

the fear that admission to military service would be a prelude to future demands, they were determined to keep for ever closed against them.[1]

A proposal by one of the Council, that Nonconformists should hold commissions in the army during the continuance of the rebellion, was carried only in a full board by a majority of one. Unless the Church was disestablished, or unless the Archbishop of Canterbury could be persuaded to interfere, the Duke of Grafton was obliged to tell Lord Stanhope that no measure of relief, which was not a mockery, could be carried through the Upper House as at present constituted. As qualified by the Council the bill might pass. If returned in the shape in which it left the Commons, it would be infallibly rejected.[2]

The resolute obstinacy, three parts disloyal and one part bigotted, of the Irish hierarchy explains the subsequent practice, which has been made a subject of such bitter reproach by Irish patriotic writers, of

[1] Swift frankly explains the reason:—

'However indifferent men may be to religion,' he says, 'they know if latitude was allowed to Dissenters, the few such employments left us in cities and corporations would find other hands lay hold on them.'—'Address to both Houses of Parliament by the Drapier.' *Works*, vol. vii.

[2] The House of Lords, to render the good intentions of the House of Commons ineffectual, have passed another bill with the same title and to the same purpose, but without the above clause. Both are now before the Council to frame one bill out of the two. We hope the clause may be carried; but it is more than probable, if the bill returns to us without alteration, it will be rejected in the House of Lords. We advise, therefore, that the bill be so altered by you that the exemption relating to the army might continue only during the present rebellion, and from thence to the end of the ensuing session of Parliament. Thus qualified, the Bishops will let it pass through the House of Lords, else it will be lost by a large majority. Better speak to the Archbishop of Canterbury. The Archbishop and others, we believe, have written to him.'—'Grafton to Stanhope, February 15.' *MSS.* Record Office.

BOOK II. 1716

filling so many vacancies on the bench by Englishmen. Something might be said for a genuine Protestant ascendancy in Ireland, — something for the native Catholics who desired to increase their hold upon a country which they believed to belong to themselves. What plea of policy or equity could be found for leaving so critical a part of the British dominions at the discretion of a handful of prelates, whose existence depended on the support of a King whom they in their hearts disowned, and the swords of the northern Protestants whom they abhorred and trampled on?[1]

A way out of the difficulty was suggested, which shows in its very structure how proof against the plainest monitions of prudence and justice was Irish High Church prejudice.

[1] A remarkable letter was written at this time by some Irishman of consequence to Lord Molesworth, and by Molesworth forwarded, without the writer's name, to Stanhope.

'The Archbishop of Tuam is like to die. You know this country, and our unfortunate condition in relation to gentlemen of that rank. There is not one that can justly be called a Whig, not among those that were made since the King's accession. Yet several were as hearty Whigs as you and I before they were made Bishops. I mean they seemed so. It would be very good if we had three or four eminent staunch Bishops that would not be shocked, and would stand in the gap against the majority. This would bring the clergy round. *One clause in the Security Bill they are fighting against would give liberty to at least a hundred thousand able-bodied entirely well-affected men.* These are they that bravely kept footing in Ireland when other Protestants fled the kingdom — that fought naked for King William, our liberties, our religion, and all that was dear to us. We cannot expect them to fight our battles if we do not let them rise above common soldiers. We are now raising thirteen regiments here, and I dare aver it, unless four parts in six be dissenting common soldiers, the most won't be Protestants. . . . I am rather of opinion, therefore, that Bishops should be sent from England. I used to wish only Irish to be chosen; but, after being disappointed so often, it seems hopeless to expect that the most promising Irishman will remain Whig.' — *MSS. Ireland.* Record Office, March 27, 1716.

CHAP. III. 1716

'There must be no law,' wrote Henry Maxwell, a distinguished member of the Irish Parliament, to Lord Molesworth, 'to hinder the Protestants of this country to unite against one common enemy. The body of our Dissenters consists of the middle and meaner sort of people, chiefly in the North. Not many of them are estated men compared with those of the Established Church; so that, when these disabilities are taken off, want of fortune and interest will always hinder them from coming into the militia in dangerous numbers. Pass that part of the law, and you will do nothing but good. *As to the army, it would be highly to the prejudice of the King and his service if that clause should pass.* The number of Dissenters in our House does not exceed, if it reaches, to the number of six. In the late Parliament they came to but four. They can never have an interest to reach to ten, and they are of little weight when they are there, for their education is generally narrow. In the House of Lords there is not one Dissenter of weight; so that if the clause come over, it will divide and break the King's best friends in our House, and will give the King's enemies, which is the only thing they want, a handle of clamour; it will widen and perpetuate our divisions, which, if that law do not pass in your Council, are in a fair way of being healed. Reject it, and it will be a handsome compliment to the Church, and things will go easily in both Houses.'[1]

Consistently anxious to remove entirely these pernicious disabilities, Stanhope and Sunderland declined to act on Maxwell's suggestions. The

[1] 'H. Maxwell to Lord Molesworth, April 9, 1716.' *MSS. Ireland.* Record Office.

BOOK II. 1716

military strength of Protestant Ireland lay, as they well knew, in the despised Dissenters; and to disqualify brave and loyal men for advancement in the regular army because they professed a creed which was the established religion of Scotland, was too intolerably absurd. The bill was postponed till the bench of Bishops could be leavened with some healthier elements. The Commons passed a resolution that the Dissenters who had received commissions had done seasonable service, and that whoever prosecuted them was an enemy to the King and the Protestant interest. There, for the moment, the matter was allowed to drop. An attempt was made to bribe the Presbyterians into dropping the further prosecution of their claims, by promising them instead of a removal of the Test, the English Toleration Act, which would leave their religion undisturbed, while the disqualifications for service were maintained. They declined an offer which they justly regarded as an insult. They insisted that they were entitled to the same privileges which were conceded to the Scotch Episcopalians; who, though as disloyal as they were themselves loyal, and, like themselves, were Dissenters from the Established religion, yet suffered under no vexatious exclusion from civil or military employment.

Stanhope would not part with the hope of securing them substantial justice at last. After 1715 the Irish Parliament met only in alternate years, voting double supplies. In 1719, under the Viceroyalty of the Duke of Bolton, the opportunity was taken of a fresh alarm to revive the question. The Duke, in opening the session, recommended a better agreement among Protestants in the presence of the strict union

and notorious disaffection of the Catholics. A sketch of a bill had been sent from England to be produced if the temper of the two Houses promised favourably. It was an equivalent to a simple repeal of the Sacramental Test clause. Conolly, when asked his advice by the Viceroy, recommended that the initiative should be left to the Irish Parliament. Whether the Lower House would concede a large measure of relief he considered extremely doubtful. The Peers would reject any measure of relaxation, however mild, if it was recommended from England. The bill was, therefore, kept back. The Viceroy told the Parliament, that he trusted they would discover some means by which an agreement could be brought about; and the King sent a special message of earnest entreaty, that the Presbyterian claims should receive consideration.

The humour of the Upper House, it very soon appeared, was unchanged; while the Commons, as the rebellion was forgotten, were less disposed to generosity than before. The Brodricks had hitherto been steady on the Liberal side. The old Speaker, now Lord Midleton, continued constant to his principles. His son, young Alan, for some unknown reason, had gone over to the Bishops' faction; and, backed by a knot of High Churchmen, who were called the Cork squadron, resisted a relaxation of the Test with the fiercest determination.[1] Archbishop King, failing to see the sarcasm which he was uttering against the Establishment, declared that the tests were its only protection, and that, without them,

[1] The Bishops had introduced clauses into their leases, forbidding the erection of meeting-houses on any part of their estates. They had induced many great landowners to follow the example.

BOOK II. 1719

Protestant Ireland would be Presbyterian. A Toleration Act, such as they had refused before, more meagre than that which now stands on the Irish statute book—a bill giving Nonconformists a bare permission to meet for worship in their own chapels, while the tests were sternly upheld, this was all that could be obtained. The heads were sent to England; and the Viceroy wrote, that nothing more need be looked for.[1]

Stanhope gave up the contest. No longer attempting to throw open even the commissions in the militia, he contented himself with adding a paragraph, giving the benefit of the act to Dissenters already under prosecution. Even this slight amendment was received with suspicion. Young Brodrick argued that, under cover of such a clause, a Dissenter might have stolen into a fellowship at Trinity College, or might have taught in a village school, and yet escape punishment. His chimerical terrors were with difficulty removed by the crown lawyers, and, on the 16th of October, this wretched mockery of justice and common sense passed through the Lower House.

For the Peers, lean as it was, the bill proved almost too much. The majority of Irish noblemen were already absentees; but on a question on which passion was stirred so deeply the attendance was unusually large. Had the Bishops' phalanx been

The practice was spreading. The Government party brought the subject before the Commons, and proposed a resolution that, in lay leases, such clauses should be inadmissible. The opposition was so strong, however, that they did not venture to press a division.—'The Duke of Bolton to Secretary Craggs, July 16, 1719.' *MSS. Ireland.* Record Office.

[1] 'The Duke of Bolton to Secretary Craggs, July 18.' *Ibid.*

unbroken, they would have still been irresistible, and the bill would have been lost. Fortunately the advice to supply the vacant sees from England had not been neglected. Sixteen Prelates were in their places: of them the Viceroy had now secured the support of six, and the neutrality of a seventh. The three Archbishops struggled as if the Christian faith itself was at stake. The Primate called schism a damnable sin. The Archbishop of Dublin insisted, in the usual style, that a door was being opened to every kind of wild extravagance. The bill was eventually carried by a majority of 39 to 26.[1] The minority, with the Archbishops at their head, recorded their protest in the Journals. Archbishop King complained to his brother of Canterbury, that the good cause had been betrayed by false brethren intruded on the bench from England. Unless God, by unforeseen Providence, supported it, the Church of Ireland he considered to be lost; and the occasion of his panic was the simple permission to the Presbyterians, who had saved Ireland from Tyrconnell, who formed two-thirds of the Protestant population of Ulster, to open chapels of their own. Though they were incapacitated from holding public employments, though their marriages were invalid, though they were forbidden to open a single school, or hold any office in town or country above the rank of petty constable, the mere existence of Nonconformists as a body legally recognized was considered of fatal omen to the Church of Ireland. The

[1] Of the six Bishops who voted for the Government five were English Whigs appointed since the accession of George the First, and only one was an Irishman. Of the nine who were in the minority, seven were Irish and two English.

BOOK II.

Church of Ireland must have been a very feeble institution.[1]

1719 And now recommenced the Protestant emigration, which robbed Ireland of the bravest defenders of English interests, and peopled the American sea-board with fresh flights of Puritans. Twenty thousand left Ulster on the destruction of the woollen trade. Many more were driven away by the first passing of the Test Act. The stream had slackened, in the hope that the law would be altered. When the prospect was finally closed, men of spirit and energy refused to remain in a country where they were held unfit to receive the right of citizens; and thenceforward, until the spell of tyranny was broken in 1782,

[1] *Irish Statutes*, George I. cap. 3. The hesitation of the Government and the long delay in the promotion of Berkeley, is a favourite subject of complaint among Irish Protestants; nameless Englishmen having been promoted over the head of their most distinguished scholar. Berkeley's Toryism was more extreme than Swift's, and what Irish clerical Tories were, the reader will have partly seen. His *Treatise on Passive Obedience* was published during the Harley-St. John ascendancy, and was written avowedly in support of Phipps and Ormond and the Jacobite conspirators. Lord Stanhope had, notwithstanding, been so struck with Berkeley's genius, that he had intended to promote him in 1716. An Irish clergyman, an acquaintance of Lord Molesworth, wrote to remonstrate against an appointment, which would mischievously strengthen Archbishop King. 'The treatise' (on Passive Obedience), this person said, 'came out at a time when a dangerous attack was made by the late ministry on the liberties of the kingdom, for which service Dr. Berkeley has been highly esteemed by all the Jacobites in Ireland. He travelled with Lord Peterborough; has been, and still is, a creature of Dean Swift; and is reckoned here as much in the Tory interest as the highest Churchman of them all.'—'Rev. Duke Tyrrell to the Right Hon. R. Molesworth, May 14, 1716.' *MSS.* Record Office.

Molesworth interfered, and the good intentions of the Government towards Berkeley were postponed. The world forms its judgments heedlessly; and seeing that Berkeley was a great man, and that he was long passed over in favour of his inferiors, it rushes to the conclusion that he was unfairly neglected. When men of genius lend themselves to politics and the support of measures like the Presbyterian disabilities, their opinions may be at least as legitimate a disqualification for office as the religious belief which they detest.

annual shiploads of families poured themselves out from Belfast and Londonderry. The resentment which they carried with them continued to burn in their new homes; and, in the War of Independence, England had no fiercer enemies than the grandsons and great-grandsons of the Presbyterians who had held Ulster against Tyrconnell.

The Irish Council were startled at the dimensions which the Exodus assumed. 'The worst of it,' wrote Archbishop Boulter, 'is, that it carries off only Protestants, and reigns chiefly in the North.'[1] Parliament ordered an inquiry and heard evidence, as if it was some inexplicable mystery. An official report distinctly stated, that the Test was at least one of the causes.[2] The ministers reminded the Government that, when the Test clause was first passed, an early repeal of it was promised; the promise had not been kept, and 'the hardships under which their people laboured on that account were so grievous, that they were transporting themselves to America for the sake of the liberty and ease which they were denied in their native country.'[3] Still the Irish Parliament could not bring itself to recognize its own folly. The Duke of Newcastle, in 1732, intended to make another effort. A bill was sent over for the more effectual disarming of the Catholics; and as the Test had been imposed by a clause introduced in England into a Catholic penal bill, the Duke thought it might be removed by a similar manœuvre. He consulted Archbishop Boulter who was then Primate. But Boulter, though himself wishing the Dis-

[1] 'The Primate to the Duke of Newcastle, November 23, 1728.' *MSS.* Record Office.

[2] 'Report on the Causes of the Emigration from Ireland, June 6, 1729.' *Ibid.*

[3] 'Address of the Protestant Ministers of the South of Ireland, 1729.' *Ibid.*

BOOK II. 1732

senters well, warned him that he would fail. Times were changed, he said. There was less irritation against Popery, and more anger against England. A clause introduced by the English Cabinet would, on that account, alone be rejected by the patriots of the Lower House. The clergy would oppose it to a man; they were so bitter that the Whig Bishops sent from England could hardly restrain them from railing against Dissent in their sermons. 'Dean Swift' was already in the field, and 'had sounded the alarm.' The thing could not be done.[1]

'It is indeed extraordinary,' Newcastle replied, 'that such a clause should be liable to meet with difficulties in either House in a country where no distinctions should be kept up among Protestants, which might be the occasion of disuniting them.'[2]

Extraordinary it might be, but it was a fact which could not be changed.[3]

And so the emigration continued. The young, the courageous, the energetic, the earnest, those alone among her colonists who, if Ireland was ever to be a Protestant country could be effective missionaries, were torn up by the roots, flung out, and bid find a home elsewhere; and they found a home to which England fifty years later had to regret that she had allowed them to be driven.

Singular complication! First a Protestant exodus to America, and then a Catholic from the same country. Each emigrant, and each class of emigrants, carrying away in his heart a sense of intolerable wrong, and a hungry craving for revenge.

[1] 'The Primate to the Duke of Newcastle, January 4 and 15, 1732.' *MSS.* Record Office.

[2] 'Newcastle to the Primate, February 5, 1732.' *Ibid.*

[3] 'The Primate to the Duke of Newcastle, February 19.'

SECTION V.

CHAP. III. 1716

THE responsibility for the mismanagement of Ireland must be divided equally between England and the Irish colony. With a perversity of misunderstanding, whatever salutary measure England recommended the Irish Parliament thwarted. When the Irish Parliament saw their way clearly, England was wilfully blind, or deliberately cruel.

With their shipping destroyed by the Navigation Act, their woollen manufactures taken from them, their trade in all its branches crippled and confined, the single resource left to those of the Irish who still nourished dreams of improving the unfortunate country was agriculture. The soil, at least, was their own; a soil which needed only to be drained, cleared of weeds, and manured, to produce grass-crops and corn-crops as rich as the best in England. Here was employment for a population three times more numerous than as yet existed. Here was a prospect, if not of commercial wealth, yet of substantial comfort and material abundance.

The Irish peasant was indolent. The glorification of idleness, the contempt of work as base and ignoble, had been instilled into him for fifty generations, and was in the granules of his blood. The earth-tillers everywhere had been the drudges of the tribe—wretches too mean for the honourable employments of stealing and murdering; and of the fruits of their ignominious toil they had been allowed no more by their own chiefs, than sufficed to keep them alive.

BOOK II.

1716

The Elizabethan landlords had been scarcely lighter masters. The peasants sowed the crop for the masters to reap; and it was not till the Puritans broke in upon the pleasant ways of the old oppressors, and instead of the sword of tyranny ruled Ireland with a sword of justice, that any labourer could call his work his own. The reign of Charles the Second, while the Cromwellians were still in the land, was looked back upon in the following century as an island of prosperity in the ocean of general wretchedness. In Charles the Second's time the absentees were few. The huge estates had not yet devoured the smaller allotments, nor the plough and peasant's spade been laid by to rust, while the bogs crept back over the meadows which the Cromwellians had reclaimed. The poor Irish were brought for a generation into the same condition with their fellow labourers in other parts of the world, and they had the same encouragement to industry. But the change was too shortlived to alter a type which had been moulded by centuries of injustice. The Puritan farmers, under the pressure of Jeremy Taylor and his brother bishops, sold their holdings. Tyrconnell and Catholic ascendancy broke up the scattered Protestant establishments, destroyed their stock, and threw the country into a wilderness again. Many never came back to resume their profitless task, and the land jobbing finished the ruin which the war had left incomplete. Whole counties fell into the hands of favourites or speculators; and the management was left to middlemen, who again pared the peasant to the bone. The trade in butter and salt meat, which England had graciously consented to leave, with the vast profits, of which

I shall speak elsewhere, to be made out of wool smuggling, tempted alike landowners and leaseholders to stock meadow and mountain with sheep and black cattle. In 1727 the average size of the farms, in the three southern provinces, ranged from 800 to 1,000 Irish acres.[1] The tenants were forbidden in their leases to break or plough the soil.[2] The people no longer employed were driven away into holes and corners, and eked out a wretched subsistence by potato gardens, or by keeping starving cattle of their own on the neglected bogs. Their numbers increased, for they married early, and they were no longer liable, as in the old times, to be killed off like dogs in forays. They grew up in compulsory idleness, encouraged once more in their inherited dislike of labour, and enured to wretchedness and hunger;[3] and, on every failure of the potato crop, hundreds of thousands were starving. Of corn very little was grown anywhere in Ireland. It was imported from England, Holland, Italy, and France, but in quantities unequal to any

[1] 'Heads of a bill for promoting husbandry, 1727.' *MSS.* Dublin Castle.

[2] 'Besides this, of late years, many landlords have begun a practice to tie down their tenants by express covenants, not to break up or plough their land; by which covenants, highly prejudicial to the public good of the country, our desolation and want of tillage is increasing.'—*Ibid.* Swift also, in his pamphlet on *The Use of Irish Manufactures*, says, 'The landlords everywhere, by penal clauses, prohibit their tenants from ploughing.'

[3] In 1729 the population of Ireland was roughly guessed at a million and a half. The author of an *Essay on Trade*, published in that year, and addressed to Lord Carteret, gives this number as the estimate currently received; but he adds, that there was a difference of opinion, and by a calculation of his own raises it one-fourth higher. The hearth-money collectors returned in 1726, he said, 374,286 houses in Ireland as paying duty, besides colleges, hospitals, barracks, and other exempt tenements. In all he thought there might be 416,000 houses, which, allowing five inmates to each, would give a population of over two millions.

BOOK II. 1716

sudden demand. The disgrace of allowing a nation of human beings to subsist under such conditions, forced itself at last on the conscience of the Irish Parliament, and though composed of landowners who were tempted as much as others to let their farms on the terms most profitable to them, the House of Commons in 1716, resolved unanimously to make an effort for a general change of system, and to reclaim both people and country by bringing back and stimulating agriculture. They passed a vote that covenants which prohibited the breaking soil with the plough were impolitic, and should have no binding force. They passed heads of a bill, which they recommended with the utmost earnestness to the consideration of the English Council, enjoining that for every hundred acres which any tenant held, he should break up and cultivate five; and, as a further encouragement, that a trifling bounty should be granted by the Government on corn grown for exportation.

And what did England answer?—England which was so wisely anxious for the prosperity of the Protestant interest in Ireland?—England which was struggling so pathetically to make the Irish Peers and gentlemen understand the things that belonged to their peace. The bounty system might, or might not, have been well calculated to produce the effect which Ireland desired. It was the system, however, which England herself practised with every industry which she wished to encourage; and it was not on economic grounds that the Privy Council rejected a bill which they ought rather to have thrust of their own accord on Irish acceptance. The real motive was probably the same which had led to the suppres-

sion of the manufactures; the detestable opinion that, to govern Ireland conveniently, Ireland must be kept weak. Although the corn consumed in Ireland had been for many years imported, the English farmers were haunted with a terror of being undersold in their own and foreign markets, by a country where labour was cheap. A motive so iniquitous could not be confessed—but the objections which the Council was not ashamed to allege were scarcely less disgraceful to them. The English manufacturers having secured, as they supposed, the monopoly of Irish wool on their own terms, conceived that the whole soil of Ireland ought to be devoted to growing it. The merchants of Tiverton and Bideford had recently memorialised the Crown on the diminution of the number of fleeces which reached them from the Irish ports. They attributed the falling off to the contraband trade between Ireland and France, which shortened their supplies, enhanced the price, and gave the French weavers an advantage over them.[1] Their conjecture, as will be hereafter shown, was perfectly just. The contraband trade, as had been foreseen, when the restrictions were imposed, had become enormous. But the Commissioners of the Irish Revenue were unwilling to confess to carelessness. They pretended that the Irish farmers, forgetting their obligations to England, and thinking wickedly only of their own interests, were diminishing their stock of sheep, breaking up the soil, and growing wheat and barley.[2] The allegation un-

[1] 'Petitions from Tiverton and Bideford, November 16 and December 30, 1714.' *MSS.* Record Office.

[2] 'Reply of the Commissioners of the Revenue, February, 1715.' *Ibid.*

BOOK II. 1716

happily was utterly untrue. But the mere rumour of a rise of industry in Ireland, created a panic in the commercial circles of England; although the change existed as yet only in desire, and the sheep-farming, with its attending miseries, was increasing rather than diminishing. Stanhope, Walpole, Sunderland, and the other advisers of the English Crown, met the overtures of the Irish Parliament in a spirit of settled hostility, and with an infatuation which now appears like insanity, determined to keep closed the one remaining avenue by which Ireland could have recovered a gleam of prosperity.

The heads of the bill were carried in Ireland without a serious suspicion that it would be received unfavourably. A few scornful members dared to say, that England would consent to nothing which would really benefit Ireland, but they were indignantly silenced by the friends of the Government. It was sent over by the Duke of Grafton, with the fullest expectation that it would be returned. He learnt first, with great suspicion, that 'the Tillage Bill was meeting with difficulties.' 'It was a measure,' he said, 'which the gentlemen of the country had very much at heart, as the only way left them to improve their estates, while they were under such hard restrictions in point of trade.'[1] 'It would be unkind,' he urged in a second more pressing letter, 'to refuse Ireland anything not unreasonable in itself.' 'He conceived the Corn Bill was not of that nature, and therefore earnestly requested his majesty would be pleased to indulge them in it.'[2]

[1] 'The Lords Justices to Lord Stanhope, January 22, 1716.' *MSS.* Record Office.

[2] 'The Lords Justices to Lord Stanhope, Jan. 30.' *Ibid.*

Stanhope forwarded in answer a report of the English Commissioners of Customs, which had the merit of partial candour: —'Corn,' they said, 'is supposed to be at so low a rate in Ireland in comparison with England, that an encouragement to the exportation of it would prejudice the English trade.'[1]

The Lords Justices returned the conclusive rejoinder that, for some years past, Ireland had imported large quantities of corn from England, which would have been impossible had her own corn been cheaper. 'They could not help representing,' they said, 'the concern they were under to find that verified which those all along foretold who obstructed the King's affairs, and which his friends had constantly denied, that all the marks they had given of duty and affection, would not procure one bill for the benefit of the nation.'[2]

The fact of the importation of corn from England could not be evaded, but the commercial leaders were possessed with a haunting terror of Irish rivalry, which could not be exorcised. The bill was at last transmitted, but a clause had been slipped in,[3] empowering the Council to suspend the premiums at their pleasure; and the House of Commons in disgust refused to take back a measure which had been mutilated into a mockery.

Reintroduced in 1719, under the viceroyalty of the Duke of Bolton, the bill met with a fate no better. The Duke, like his predecessors, gave it his warmest support. He showed that the objections of the Com-

[1] 'Lord Stanhope to the Lords Justices, March 2.' *MSS.* Record Office.

[2] 'The Lords Justices to Stanhope, May 22, 1716.' *Ibid.*

[3] It had been done by some surreptitious manœuvre in Ireland itself after the heads left the House of Commons. 'Duke of Bolton to Secretary Craggs, August 14, 1719.' *Ibid.*

BOOK II. 1716

missioners of Customs were perfectly childish. The proposed bounties were but half those which were actually given in England, and the relative prices in the two countries made the under-selling of the English by the Irish growers a complete impossibility.[1] The ineffectuality of an argument so conclusive showed that the avowed motive, bad as it was, yet was not the real one. Stanhope and Secretary Craggs gave an evasive answer, that the House of Commons in Ireland had already rejected the bill when it was offered them, and this time it was not returned at all.

Too inclined already to a passive acquiescence in the destiny which England was forcing on them, drawn by their immediate interests in the direction of the convenient sheep-breeding, which the contraband trade made so profitable, and 'driven,' as Swift bitterly described it, 'into barbarity for the sake of peace,'[2] the Irish gentlemen might have been excused if they had now given up the battle; and indeed each year saw the ranks thinning of those who still struggled against the destiny of the country. Many a landlord who, with good examples round him, and in a wholesome social atmosphere, would have lived usefully and honourably, and have made Ireland the better for his presence, was sinking down into a drinking, swearing, duel fighting, scandalous being. But the few who refused to despair fought

[1] 'The price of corn is generally as high in Dublin as in London. A bushel of English wheat is one-fifth heavier than Irish, and so with other grain. The bounties of the Irish bill are but half of those in England; so that it is impossible for the exporters of Irish corn to undersell the British, but directly contrary, for the Irish, though they have the premium desired, can never sell to the same advantage as the English, nor can even expect markets but when corn is so very scarce and dear in England that they cannot be supplied from thence.'—'Duke of Bolton to Secretary Craggs, August 14, 1719.' *MSS.* Record Office.

[2] Tracts on Irish affairs. *Swift's Works*, vol. vii.

manfully on ; and, eight years later, though direct encouragement they could obtain none, yet after a famine, in which thousands of the peasantry had died, they did succeed in wringing out of the English Council a consent that the prohibitory clauses in the leases should be cancelled, and that in every farm a certain small portion should be under the plough. After a great potato failure, when the roads were covered with starving beggars, and in every cabin there was one dead or dying, the Irish Parliament at last did at length, in the year 1728, obtain thus much in the way of concession. And even this poor instalment of justice and common sense they owed less to themselves than to the intercession of Archbishop Boulter, who, though unable to persuade his brother prelates to consent to the emancipation of the Dissenters, succeeded in persuading the Duke of Newcastle that, to condemn the Irish to recurring famine, was neither safe nor wise.[1]

[1] 'The Primate to the Duke of Newcastle, March 7, 1728.' *MSS.* Record Office. I quote from the original. Boulter was an English Whig, and had been Bishop of Bristol. He succeeded Lindsay as Primate in 1724, and was, for many years, the chief adviser of the English Government in Irish affairs. He is evil spoken of in patriotic histories as the upholder of the English interest, and the advocate of the promotion of Englishmen to Irish offices. His prejudice in favour of his countrymen was owing simply to the inveterate wrong-headedness in Church matters of the Irish clergy and men of rank. His main object, of which he never lost sight, was the repeal of the Test Act. His advice on matters of state, whether England followed it or not, was always on the side of liberality and justice. Archbishop though he was, he was free from the cant of his profession. Throughout his voluminous correspondence the name of God scarcely appears, if at all. Yet his practical excellence would have gained him credit had it been found in a person more spiritually-minded as the visible fruit of doctrinal piety. In the famine of 1741 he fed thousands of the Dublin poor with meal for many weeks at his single expense, spending, as a brother bishop wonderingly said, 'no less than 25*l.* a day.'—'The Bishop of Dromore to ——, April 18, 1741.' *Ibid.*

SECTION VI.

BOOK II. 1719

But neither can the history of Ireland be understood, nor can the conduct of the English Government on the one hand, and that of the Protestant Colony on the other, be equitably judged, without a knowledge of the conditions and habits of another section of the Irish people. The representatives of the great Catholic families who preserved their estates, under the Articles of Galway and Limerick, had either sold them and gone abroad, and were serving in the French or Spanish armies, or had conformed to the Establishment, or else had taken shelter from the penal laws behind some Protestant friend or kinsman, and had escaped molestation by withdrawing into privacy. In Ireland itself, few or no Catholic gentlemen of high birth or connexion cared to put themselves forward in situations which would draw attention to their humiliation, and they preferred the repose of dignified seclusion to noisy or complaining agitation. The names of men like Lord Antrim, Lord Kenmare, Lord Fingal, Lord Athenry, or Sir Stephen Rice, are unheard of in scenes such as those which I am about to describe. But there was a rank below them, men of moderate property, small squires or squireens; large middlemen, holding long leases; scattered over all the country—Catholics in reality, if affecting Protestantism to escape the inconveniences attaching to their faith. Again there were ons and grandsons of the old families, who had been

dispossessed under the Act of Settlement, still calling themselves gentlemen, too proud to work, too poor to live honourably without it; all together forming a section of society the least reputable, the least manageable, the least worthy in a human or intelligible sense of any class perhaps calling itself civilized in the known world. These were the men who, in old times, had formed the retinues of the robber chiefs, or had sought for glory and the praise of bards and harpers, by driving their neighbours' cows, or burning down their neighbours' haggards. These were the men who, in the long desperate struggle of the Irish leaders to keep at bay the growing rule of England, had fought at the side of Shan O'Neill, or Desmond, or Tyrone; and when the English sword proved at last the sharpest, had earned pardon and reward by bringing their comrades' heads in bloody sacksful to the conquerors. These were the men who, when the Lords of the Pale, and the Earls of Ormond and Antrim would have taken Ireland out of the hands of the Parliamentarians, and sought redress of their wrongs by loyalty to their lawful King, stained an honourable if mistaken cause with innocent blood, and made the name of Irish rebellion for ever infamous by the massacre of 1641. These were the men who, when the ten infernal years of civil war were ended in confiscation and forfeiture, avenged the wrongs of their bleeding country by midnight murders as Rapparees and Tories, or else as cosherers were not ashamed to be fed in idleness and vice by the tenants of the lands which they had lost. These too are the same men whom we have known in later years, either as the spendthrifts who still lived by robbery in the shape of debts which they could never

BOOK II. 1727

pay; as the hard riders, gamblers, drunkards, duellists; the rakes of Mallow, the half savage, half humorous Irish blackguards that figure in the legends of the first years of the present century, as the professional political agitators, as the place-hunters under the disguise of patriots, the heroes of the tragi-comedy of the cabbage garden, or the Fenians of the raid of the 'Red River.'

Of such men as these, all of them essential children of anarchy, recruited by idle younger brothers, disreputable members of otherwise honourable families, landless heads of attainted houses, who lived in dreams of a free Irish Parliament, and of reinstatement in their old domains, there were always many thousands in Ireland, who formed an element perpetually active for evil. Had industry been allowed to grow, and to bring with it, as it must have brought, order and law, and steady occupation, they would have disappeared before civilization like the Red Indians, or like the wild animals of the forest. In the wretchedness to which Ireland was degraded, they throve as in their natural element.

Arthur Young has drawn their portraits as he saw them in 1770:—

'I must now come,' he says, 'to a class of persons to whose conduct it is almost entirely owing, that the character of that nation has not that lustre abroad which it will soon merit. This is the class of l ttle country gentlemen, tenants who drink their claret by means of profit rents, jobbers in farms, bucks, your fellows with round hats edged with gold, who hunt in the day, get drunk in the evening, and fight the next morning. These are the men among whom

drinking, wrangling, quarrelling, fighting, ravishing, &c., are found as in their native soil.'[1]

Vixere fortes ante Agamemnona.

These gentlemen were flourishing in full vigour under Queen Anne and the first George. Pictures of them, more or less accurate, can be put together out of the records in Dublin Castle, and they and their doings will form the subject of the following book.

[1] Young's *Tour in Ireland,* vol. ii. Appendix, p. 113.

BOOK III.

CHAPTER I.

IRISH IDEAS.

SECTION I.

BOOK III.

When the Pretender attempted a descent on Scotland in 1708, and the French fleet was to have come to Galway to make a diversion in Ireland in his favour, preparations had been made for an extensive Catholic rising throughout Connaught. The Scotch expedition failed. The French did not show themselves on the Irish coast. The exclusion of the Presbyterians from the militia, had given the intending insurgents a tempting opportunity ; but the Catholics knew that, unless supported by corresponding movements elsewhere, even if successful at the beginning, they would have to deal once more with the whole strength of England ; and they were too prudent to risk another desperate struggle single-handed. But though their hopes were quenched for the moment, the purpose was not abandoned. In 1711, when the Tory ministers came into power, the Pretender's chances seemed again favourable. Rumours of a restoration were flying fast and thick in the Irish air. Large companies of friars were reported as riding through the Western counties from village to village, telling the people 'that the ould abbeys were

about to be set up again.' There were 'more of them than had been seen for many years.' They were well-dressed and well mounted, mysterious apparitions, risking the dangers of the law for some unascertained purpose, yet creating, wherever they went, the vague ferment of excitement and expectation of change.[1] They had found the benefit in the last war of having Connaught entirely to themselves. Estates there had been bought in the interval by English speculators, who had intruded themselves into Roscommon, Mayo, and even Connemara itself. Encouraged by these neighbours, more than one of the old Galway families had deserted the national cause, turned Protestant, and gone over to the enemy. If there was to be another rebellion, a first step towards success would be to purge the country both of the home renegades and these dangerous aliens. Political speculations were reinforced by agrarian grudges, which created instruments ready made to the hand.

Between the scanty half-savage inhabitants of wild districts, who claim a right to land which they will not cultivate, and civilized men who desire to make a rational use of it, there is always an irreconcilable feud. The improver buys an estate, with a population who have lived upon it from immemorial time in their own barbarous way. He perceives that, with more intelligent treatment, he can treble the value of his purchase, and raise the condition of his tenants by compelling them to work. They have no desire to be raised. They deny his right to meddle with them. He clears them off, and introduces others who will do as he tells them; and there is at once war—

[1] 'Miscellaneous Depositions, 1711. Co. Roscommon.' *MSS.* Dublin Castle.

BOOK III. 1711

war in which each side believes that justice is on its side, war which can end only in the extermination of one or the other party. The English settlers had taken possession of vast tracts of mountains, built enclosures, raised vast stocks of sheep and black cattle and established Scotch herdsmen, necessarily in exposed situations, to take charge of them. Gentlemen of the old blood—Sir Walter Blake especially—were following the example, adopting English habits, and, still worse, the English creed. Before the example spread, or the new system took deeper root, the Irish determined to make an end of it.

The campaign opened in Eyre Connaught, a part of Connemara. In the early winter of 1711, large armed parties in white shirts traversed the country in the long nights, 'houghing and destroying the cattle belonging to persons who were unacceptable to the Irish as having taken lands to farm.'[1] From Eyre Connaught the movement spread with the mysterious rapidity of a plan carefully concerted. It swept along Lough Corrib and Lough Mask, through Mayo, past Castlebar to Sligo; then down through Roscommon and Galway, and south into Clare. Notices were dropped at the shepherds' cottages, or were nailed against the doors, informing them that war was declared against the stockmaster, that it would be continued till the stock was destroyed, and bidding them stir at their peril. All night long would be heard the roaring of the wretched cattle, as they fell under the knife; wild cries, and 'volleys of shots from bogs and mountains, and the huzzas of the Houghers.'[2]

[1] 'Petition to the Duke of Ormond from twenty Gentlemen of Galway, Nov. 1711.' *MSS.* Dublin.

[2] 'Edward Crowe to the Bishop of Cloyne, February 7, 1712.' *Ibid.* 'Sir William Caulfield to Secretary Dawson, February 16.' *Ibid.*

CHAP. I.

1711

If the settlers or their servants ventured out, they found their houses burning when they returned. At daybreak the hill sides were seen strewn with carcases of oxen and sheep lying dead in hundreds or in thousands. The bands by whom the slaughter was accomplished seemed to have started from the earth. Nothing could be traced to the local peasantry. They professed mere ignorance, amazement, and terror. It was found only that, wherever a butchery had taken place, they were gathered in crowds on the morning following to buy the bodies, which the owners were glad to dispose of at any price which they could get. The warning letters were signed 'Evan;' but who Evan was none could guess, for he was omnipresent in four counties. Here and there suspected persons were arrested, but no evidence could be found against them. The story which they generally told was, that the gangs at work were 'King James's old soldiers,' and that the object was to harass Connaught 'till an army could arrive which they expected from France.' Beyond question it was the work of Catholics, for Protestants were the only sufferers. But whether it was really a prelude to a rebellion, whether it was an agrarian attack on the grazing system, or whether it was revenge for the passing of the penal laws, no certain conclusion could be arrived at. The accounts of the attitude of the priests were contradictory. There was no doubt that they knew the perpetrators, and as little that they would tell nothing. Sir William Caulfield, who hated them, confessed that he could find no proof of their guilt. They would have preferred, naturally enough, he said, to see people on the land instead of stock; but in words, so far as he could hear, 'they

BOOK III. 1711

had condemned the barbarous method by which the ground was being cleared.' Priests at Tuam, on the other hand, had been heard to pray 'for Evan's good success.' An Augustinian friar, at Kilmore, had desired all his congregation to join with him in imploring a blessing on Evan's head. Another father had read one of Evan's proclamations in the pulpit, and preached a sermon in his praise as the poor man's friend.[1] The High Sheriff of Galway arrested Dr. Maddin, the priest of Loughrea, as one of the ringleaders. The mob rose in fury, surrounded the house where the priest was confined, and would have torn the sheriff in pieces but for the appearance of a troop of dragoons.

The original mystery was never completely unravelled. The English landowners were few and widely scattered. The rising was so sudden, the surprise so complete, and the destruction so universal, that they were unable to combine or collect at any one point sufficient force to attack the houghing parties at their work. They had to lie still behind barricaded doors, and congratulate themselves that the attack this time was on their property and not upon their lives.

On one occasion only a gang was fallen in with, which showed that the work was directed by men of intelligence and education.

At the end of November, 1711, a soldier belonging to the garrison, who was shooting near Galway, was stopped by a number of men with blackened faces, who took his gun from him. He observed that they all spoke English. The leader wore several heavy

[1] 'George Fowler to the Archbishop of Tuam, March 3, 1712.' *MSS.* Dublin.

gold rings. He produced from his pocket a handsome chased flask and drank some wine from it. He had a bag full of Spanish coin, a handful of which he offered his prisoner, promising that if he would join the band he would make a gentleman of him. Apparently he was one of the better born Rapparees, with the courtesies of his profession; for when the soldier declined his offers, he gave him back his gun, saying that he had more arms already than he needed, and bidding him go tell the Governor of Galway that, if the garrison meddled with him, he would burn the town to the gates, hough the soldiers as he had done the cattle, and carry the officers' heads away on pikes.'

The vast area of country which was wasted proves that the devastation was the work of many hands. Very few of the perpetrators were detected, and still fewer were punished. One or two were executed. Others, though caught red-handed, were acquitted by the juries. Throughout Connaught the Irish Catholic gentry combined to prevent any effective prosecution or discovery; and, if innocent themselves, they proved that their sympathies were entirely on the side of those whom they knew to be guilty. To stop the destruction, and, if possible, unravel the mystery, the Government at length offered a free pardon to all who would confess and give securities for their future good behaviour. The Houghers' object was substantially accomplished. Terror had done its work. Connaught was recovered to the Irish for half a century, for no stock breeders would risk their capital for mere industrial use in a country where it could be thus swept away with impunity, and those who remained fell, for protection, into Irish habits, and reared their sheep for the smuggling wool

BOOK III. 1711

trade, which the native ordinances were pleased to permit. Sixteen young gentlemen in Galway then gave in their names, having nothing to fear, and nothing more to lose. The most substantial and most respected of the Irish proprietors of the West became bail for them.[1] One of a similar party in Clare, who surrendered under the proclamation, volunteered a detailed account of the proceedings. Connor O'Loghlin, son of Rory O'Loghlin, a Catholic gentleman of good birth and station, said that his cousin, Captain Charles O'Loghlin, after making him take an oath of secresy, invited him to join 'in houghing the cattle of the merchants and new comers that were engrossing the lands.' He, his cousin, and seven or eight companions, made up the gang. They did not confine themselves to the settlers, for the first object of their attentions was one of the purest Milesians in Ireland, Sir Donogh O'Brien, who was a Protestant. Sir Donogh, on second thoughts, they concluded not to meddle with. He was capable of 'summoning all the priests in the country,' demanding an account from them of the doings of their parishioners, and after-

[1] List of persons that rendered themselves as Houghers in the county of Galway, pursuant to the proclamation, and entered into recognizances under John Stanton, Esq. :—

Martin MacDonogh, of Ballydaly
Darby O'Flaherty
Bryan King
James Naghten
Denis Fahy
John McMoyle Burke
James Caheron
Daniel Grany
Nicholas Supple
Bryan Morris
Richard Kearigane
Richard Pearle
Herbert O'Flaherty
Francis Murphy
John Armstrong
Henry Joyce.

All these persons were gentlemen, and entered into recognizances—100*l.* each for themselves, and their securities 50*l.* each.

Among the gentlemen who became bail for them I find the names of Edmund McDonogh, Bryan Flaherty, Godfrey Daly, Robert Blake, and Edmund Burke. *MSS.* Dublin Castle.

wards 'of taking account with such.' Sir Walter Blake, another Irish conformist, was a safer victim. They killed three hundred 'great rams and weathers' on Sir Walter Blake's estate; afterwards, armed with guns and swords, they stole away at night by bridle-paths into the Galway mountains, took up their quarters at a friend's house, where they were handsomely entertained; and, after a day or two of feasting and hard drinking, went to their work again, and cleared the adjoining farms.[1] The careless recklessness of the party showed how needless was disguise, how completely they felt themselves secure in the sympathy of the county.[2]

For the present the work was effectually done. No cattle-farmer remained in the West save those who consented to submit to the laws and customs of Connaught. The lesson was repeated when necessary. Forty years later Lord St. George attempted to plant a part of Connemara with Protestant families, building them decent houses, barns, stalls, and cattle-sheds. No Catholic tenants appear to have been removed to make way for them; but the mere presence of these heretical strangers was intolerable. The Houghers rose, levelled houses and outbuildings, swearing that no Protestant should settle in the district. In this instance the guiding hand could be traced with certainty. 'The priests,' wrote a gentleman on the spot, 'told the people they were contending for the Holy Catholic religion.'[3]

[1] 'Information of Connor O'Loghlin, sworn before Robert Miller, Justice of the Peace, 1713.' *MSS.* Dublin Castle.

[2] The deposition ends with the statement of young O'Loghlin, that all the aforesaid persons—Captain O'Loghlin, Lieutenant Markahan, Ensign Connor Hogan, William Kempsey, Bryan Hogan, &c.—were 'Papists to his certain knowledge.'

[3] 'Anthony Miles to the Earl of Kildare, July 30, 1757.' *Church MSS.* Dublin Castle.

BOOK III.

1711

Later yet, and falling into a lower circle, the Houghers became identified with the Whiteboys, and spread over the four provinces. Unable to shake off their enemies by open force, they could at least make the land, which the Protestants had usurped, a barren possession to its new owners.[1]

[1] The following proclamation is a specimen of the literary capabilities of the later Houghers, men of inferior station to the O'Loghlins of Clare, but showing traces of the classical education given in the hedge schools :—

'Hougherstown, Co. Wexford, July, 1779.

'Isaac Cullimore,

'We, the undernamed persons, doth insert these lines here to give you notice that we are still in very good health, thanks be to God! and doth intend to see justice and equality rectified in our barony, though much oppressed by domineering Quakers. So we dance with joy, and reason we have to see your brother John the Atheist inhumed, and likewise doth determine to pay the doleful Reedstown a triumphing visit once more—and, that before this day sennight, and please God, to hough, maim, and slain the oxen which are in your possession on said lands under the protection of M. M., and will erect an altar on said lands, and offer them as victims to the Infernal Gods, who will conduce him with security into Charons custody, who, in his magnificent boat, will transport him over the river Styx into Plutos region, and Devil speed him and all the precedents of his infernal generation.

'So we suppose that you thought we to have been dead, and to have entirely omitted our antient customs —we have been obscure this time past and on that account you have sent down cattle and afterwards a herd to produce benefit out of said lands. But as long as the Almighty God will leave us breath to draw, you shall never reap the value of one farthing out of the above-mentioned farm. So, Isaac, we take the more easy way to conduce you to the state of obtaining God's grace, and to come in unity with your friends and neighbours. So, when we will transact this precedent matter, if you do not become more tranquill and mild, you shall quickly be despatched, and shall be dismissed to a D. T. S., who will punish and smash you according to your cruelty to your clients in the parish of Tacumshaw.

'And likewise, if you do not desist from taking lands, and give up them farms which you have in the said parish, Isaac nor his family shall be no more, and Neemstown in like manner shall become a Reedstown.

'So your inimical antagonists remain in good health,

'John Hougher, Peter Burnstack, Phil Slasher, Patrick Fearnot, Columm Kill, Sylvester Quaker-rouser, Edmund Smart, Edward Stout, and several others too laborious to insert.

'This to infernal Isaac Cullimore, of Neemstown, Wexford.' *MSS.* Dublin Castle.

SECTION II.

CHAP. I.

The immunity from ordinary crime, which so honourably distinguishes modern Ireland, was no characteristic of its condition in the last century. To settle differences by fighting had been ingrained, by many centuries of unbroken habit, into the temper of the people. When private wars and forays were no longer possible, duelling took their place, and was so frequent and deadly, that it was proposed, at one time, to make the survivor responsible for the maintenance of his victim's family. Duelling, and the strange forms which it assumed, will be treated of in a future chapter. At present, the reader's attention is to be called to acts of violence of another and yet more remarkable kind, which, like duelling, were sanctioned by public opinion; and, notwithstanding repeated efforts of the Irish Parliament, were practically shielded from punishment. The Houghers revenged the wrongs of their country by mere destruction. Another set of young gentlemen of the Catholic persuasion were in the habit of recovering equivalents for the lands of which they considered themselves to have been robbed, and of recovering souls at the same time to Holy Church, by carrying off young Protestant girls of fortune to the mountains, ravishing them with the most exquisite brutality, and then compelling them to go through a form of marriage, which a priest was always in attendance ready to celebrate. The High Church party in the English and Irish Governments could not bring themselves to treat a sacrament as

BOOK III.

invalid however irregularly performed, and the unfortunate victims were thus driven, in the majority of instances, to make the best of their situation, and accept the fate from which there was no legal escape. In vain Parliament passed bill upon bill making abduction felony, and threatening penalties of the harshest kind against the officiating ecclesiastics. So long as the marriages themselves were regarded as binding, the families injured preferred to cover their disgrace, and refused to prosecute. The heroes of these performances were often highly connected. Political influence was brought to bear for them, and when convicted, which was extremely seldom, the Crown pardoned them.[1] The priests, secure in the protection of the people, laughed at penalties which existed only on paper, and encouraged practices which brought converts to the Faith, and put money in their own pockets.[2] High sheriffs, magistrates, and grand juries took their cue from the Castle, and hesitated to embroil themselves with their Catholic neighbours when they knew that they would not be supported. If occasionally, in indignation at some

[1] Arthur Young says that there was but one instance on record, where a person guilty of forcible abduction had been executed. This was probably James Cotter, whose case will be presently mentioned.

[2] 'The Commons allege,' I believe with truth, 'that the priests direct their people to marry Protestants, as experience shows that, in those cases, the whole family become Papists.'—'The Duke of Devonshire to the Duke of Newcastle, December 25, 1743.' 'We have reason to believe the priests are, in a great measure, supported by gratuities on occasion of such marriages as are made void by this bill.'—'Memorandum of the Irish Council on sending to England "the Heads of a Bill to make more effectual an Act *to prevent the taking away and marrying children against the wishes of their parents and guardians.*" '—*MSS.* Dublin Castle. 1745. In a statute passed on this subject *degraded clergymen* are said to have officiated on these occasions as well as priests. In the very many instances which I have examined, I have found only priests to have been concerned; but perhaps I have been unfortunate.

exceptionally furious outrage, they attempted to exert themselves, the faint assistance which they were allowed even from the army, when there were troops in the neighbourhood, taught them that in future their safest course was to remain passive. A remarkable instance occurred in Tipperary in 1754. A young lady had been carried off and violated with the usual brutalities. She escaped to her relations; the priest who married her was taken and identified; and the lady was bound over to prosecute at Limerick. Mr. Lovitt, the high sheriff, undertook to convey the prisoner thither from Clonmel. There were several companies of soldiers in the town, and he applied to the commanding officer for an escort. The officer said that his orders were in no case to grant more than a corporal's guard. He would give him twelve men and no more. The high sheriff in vain insisted that five times as many would not carry a priest through Tipperary as a prisoner, if his life was supposed to be in danger. The officer had his instructions from Dublin, and could not exceed them. Three thousand people gathered on the road. They stopped and searched every coach and chair that passed, to find the lady whom they meant to murder to silence her evidence. The sheriff's party was attacked, the under-sheriff was half-killed, the soldiers were beaten and dispersed, and the priest was rescued; while such was the general rage at the affront to the sacred person of this reverend gentleman, that Mr. Damer wrote to the Secretary that no Protestant in the country, who slept in a thatched house, dared speak or act in such matters.[1]

CHAP. I. 175

Violence and paralysis of authority will be called

[1] *MSS.* Dublin Castle. 1754.

BOOK III. 1756

the consequence of unjust legislation. Had the Catholics been treated equitably, it may be said, they would have been orderly members of society. The answer is that crimes such as these were the normal growth of Ireland; they had descended from a time when Protestantism was an unknown word, and Popery and Irish ideas were supreme in the land. They were the native growth of the soil, which yielded only to higher culture where the English sword gave strength to English law. Abduction may mean anything, between the escape of romantic lovers from the tyranny of parents, and the most villanous of imaginable atrocities. A few stories taken almost at random from the huge mass of depositions suffice to show that, under any circumstances and under any conceivable form of civilized government, the performers in them, principals and accessories, secular and spiritual, could have been only fit for the gallows. These outrages were no deeds of stealthy revenge upon oppressors by men whom injustice had driven mad. They were acts of war done in open day, in the face of the whole people, and supported by their sympathy.

A common and comparatively harmless specimen is to be found in the deposition of Mr. Armstrong, a Tipperary clergyman: 'Mr. Armstrong said that, in the midst of divine service in the forenoon of June 6, 1756, Henry Grady, with several ruffians, arrived with a blunderbuss, guns, pistols, and other arms, came into the church of the town of Tipperary, and, with their arms cocked and presented, called out that none should offer to stir, that if any offered to stir from their seats they would shoot. The said Grady advanced up the aisle with a cocked pistol presented in

his hand ; on which the informant went from the reading-desk, spoke to said Grady, and entreated him to retire and desist. On which he retired once or twice to the door, and then advanced with two of his accomplices, who were not known by the informant ; but one had a gun cocked in his hands, and swore he would shoot the informant, and the other had a gun in one hand and a hanger drawn in the other, with which he struck the informant on the arm, and cut through the surplice and gown. Immediately after Grady and one of the said persons went into the pew in which Miss Susannah Grove sate, and carried her off by force. Most of all the ruffians who were armed retired with their arms presented, and their faces towards the congregation, till they came to the church door, which they locked, and carried off the key. . .[1]

Personal passion rarely or never shows in these brutal stories. Young girls were not the only victims. Elizabeth Dobbin, a wealthy widow, at Belfast, sixty-two years old, was one night seized in her bed, dragged downstairs, flung upon a car, which was waiting in the street, and conducted by an armed party to a house in Carrickfergus. A priest was introduced dressed as a beggar. One of the ravishers presented himself as the intended husband, who answered her agonized entreaties to be spared by a threat that, if she refused to marry him, 'he would tear her limb from limb.' She was then stripped and violated, one of the confederates 'standing the while at the bedside with a drawn sword in his hand.'[2]

Catherine Stackpoole, another elderly widow of good fortune, living in Cork, was disturbed in her sleep by

[1] *MSS.* Dublin Castle. March 2, 1741.'

[2] 'Case of Elizabeth Dobbin, *MSS.* Dublin Castle.

BOOK III. 1757

a clamour at her door. On rising to enquire the meaning of the disturbance, she found herself in the arms of Mr. Austin Fitzgerald, a gentleman of unblemished Geraldine descent. Fitzgerald hurried her down the stairs, tied her on a horse in her nightgown, and galloped off with her to the nearest mountains with a dozen young fellows as his escort. She was taken down at a lonely cabin, and compelled, under the same threats of instant death, to go through a form of marriage. A priest, ready prepared, presented himself, said a few words, and declared the ceremony complete. Fitzgerald was then left alone in possession of his prize. A desperate struggle followed, a scene indescribable here though laid accurately in all its details before the Castle authorities. The bridegroom ultimately took flight, bitten, scratched, and torn. The woman escaped in the darkness, made her way back to Cork, and at a cost of 500*l.* to herself succeeded in bringing Fitzgerald to trial. He was convicted on the clearest evidence and was sentenced to death. The execution was delayed. Applications for pardon were put in by his relations. The high-spirited lady wrote with her own hand to the Duke of Devonshire, who was then viceroy, relating her story, and insisting on justice being done. The Duke gave her fair words, but month followed month, and no warrant came down to send Fitzgerald to the scaffold. At length the outraged woman died of her injuries, and the Duke of Bedford, who had succeeded to the government, recommended the ravisher to the mercy of the Crown.[1]

Let the reader multiply these instances by many

[1] 'Case of Catherine Stackpoole, 1757.' *MSS. Ireland.* Record Office.

hundreds ; let him understand that the cases which came before the courts were but a fraction of those, which shame and dread of notoriety kept concealed, and that universally there were the same accompaniments of unmanly brutality, and he will form some notion of this aspect of Irish life in the last century.

A family of Protestants, named Keris, were settled on a farm in Clare. The father and mother were in prosperous circumstances. They had a single daughter named Honor, a girl of fourteen, who was the heiress of their wealth. One afternoon in March 1733, two gentlemen, a Mr. Thomas Lucas and a Mr. Edmond Stock, came to the Keris's house ; and intimated that some acquaintances of theirs, one of the O'Loghlins, perhaps the Hougher, and a certain William Blood, intended to break into their house that night and carry Honor to the hills. The object of the visit was to frighten the mother, and to induce her to allow them to remain to protect her and her child. The wolves had stolen in in the shape of watch-dogs. There were no police in those days. At nine o'clock in the evening the door was burst open. Blood with two companions rushed into the room where the family were sitting, struck the father to the ground with a bludgeon, and looked round for his victim. At the first alarm she had flown upstairs. Blood proceeded to search the house with a candle in one hand and a pistol in the other, saying that he would shoot anyone that stirred. He found the child cowering in the corner of a loft, brought her down fainting, and swore he would carry her away dead or alive. The wretched mother flung her arms about her. The ruffian seized the mother by the throat and, with an

BOOK III. 1733

oath, dashed her to the ground. The gentlemen who had stood by, affecting terror, threw open the windows, and bade the girl spring out, where there were confederates waiting to seize her. The women servants now ran in to help their mistress. The brave young fellows set upon them with their sticks, and beat and mangled them till they fell on the floor. The father lay stunned and senseless; the mother's clothes were torn from her back; and, amidst curses and yells of triumph, Honor Keris was dragged to the door, flung upon a horse like a sack, and borne away in the moonlight. The ravishers stopped at a cabin a mile and a half distant, to let her recover her senses. There the mother, who had followed screaming along the road, came up with them. She found her daughter shivering with cold and terror, and implored them, in the name of mercy, if they would not give her up, yet to let her rest for the night where she was. That was not in the bargain, one of them cried, snatched her up, tossed her back on the saddle, and set off again at a gallop. By rare fortune this girl was saved. The father, having recovered his senses and finding himself alone, made his way to the house of a Mr. Ross Lewin, an English magistrate in the neighbourhood. Lewin mounted half a dozen of his servants, went off in pursuit, and overtook the ravishers before they could reach the mountains. The young gentlemen did not care to face Lewin's pistols; they dropped their prey, insolently saying, however, as they rode off, that they would have her again some day, and Lewin's own daughter besides.[1]

Each magistrate depended on his own resources to enforce the law. The parties were well known; they

[1] *Dublin MSS.* Dublin Castle. 1733.

did not even care to conceal their identity; but there was no force available to arrest them. The Keris family lived in nightly fear of a new attack—of finding their home in flames, or their cattle houghed. But no one was punished. Authority was as powerless in Clare, as in the days of the chiefs. Law, indeed, all over Ireland was a phantom, which few had cause to fear who dared defy it. Anarchy, not tyranny, was Ireland's scourge; and the medicine which she needed was not concession, but the forgotten hand of Cromwell.

Escape on these occasions was the exception. Almost always successful outrage was carried to the utmost limit of enormity.

Rebecca White was an orphan girl residing in her own house, on her own property at Cappagh, co. Tipperary. As such she was a tempting prey to the young blades and bucks of the neighbourhood. An uncle lived with her as guardian, but was a poor protector. On a dark night, in the middle of the winter of 1718–19, three Fitzgeralds, a William Brien, and several other persons, all described as gentlemen, armed to the teeth, with swords, guns, and pistols, swooped down on Cappagh. The door was broken open. The women who, knowing the object of the visit, threw themselves in the way, were knocked down and kicked into quietness. Rebecca White was torn out of bed in her shift, dashed against the wall to stupefy her, and to make her easier to handle, and was then borne away many miles, to an empty police barrack, among the bogs on the edge of county Limerick. The key of the house was found, and the door opened. A young unregistered priest came forward as usual ready to perform the sacrament, and

BOOK III. 1719

the whole party then surrounded their prisoner, who had partially recovered from her swoon, and deliberately told her in a manner evidently serious, that, unless she consented to marry one of the Fitzgeralds, they would all violate her in turn, and then murder her.

With this announcement ringing in her ears, she was carried upstairs to what was called the officer's room. The priest followed and began to read. Terrified as she was she still resisted and forbade him to go on. He said that if he stopped, he would be killed. He asked her if she would be Fitzgerald's wife. It was like asking the lamb, with the butcher's knife at its throat, if it would be slaughtered. The marriage was declared to be complete. The victim was left to her ravisher; and her wild shrieks wrung some ineffectual pity from the wretches who were listening to her agonies.[1]

The reader is requested to understand that he has before him, in these stories, an account of real facts which happened not much more than a hundred years ago, in a country constitutionally governed by English law, under the English crown. The evidence is the sworn deposition of the sufferers themselves, and of such other witnesses as could be prevailed on to give their testimony. Human creatures have at various times made devils of themselves, but, probably, no age, and no part of the world, have produced specimens quite so detestable as these Irish gentlemen. In unmanliness, in cowardice, in ferocity, in a combination of all the qualities most hateful and despicable in man's nature, they had achieved a distinction as yet unmatched. Yet such was the condition of Irish public opinion, that their performances were en-

[1] 'Deposition of Rebecca White.' *MSS.* Dublin Castle. 1719.

couraged by the clergy, and were so much in favour with general society, that they were allowed to escape retribution. When all is said, the desire of England to place the responsibilities attached to landed tenure in safer hands was not indefensible, nor were the objections unnatural to the intrusion into the country of men calling themselves priests, who were willing to lend themselves to such atrocious and accursed acts of infamy. 1719

A combination of superstition with deliberate villany has been many times observed in Catholic countries. The brigand chief, who has cut a throat in the morning, and burnt a village in the afternoon, will go through his evening devotions at the shrine of the Madonna with the ardour of unaffected piety. A similarly curious anxiety was at times displayed for the soul of some outraged Protestant woman by men whom, unless for the purpose of incurring merited damnation for their unpunished wickedness on earth, it would be difficult to credit with the possession of souls themselves.

Among the wealthy yeomen of Cavan was a certain Walter Tubman, residing near Carrigaline, who had an only daughter named Jane. On a forenoon in November, 1730, her father, mother, and brothers being absent at the neighbouring fair, and no one being at home but Jane Tubman, her cousin Margaret, and some servants, a young Edmund McKiernan, an unwelcome acquaintance, lounged in, and after a few jests, to which he received no answer, he caught hold of Jane, and told her she must go with him. McKiernan was apparently alone. There were other houses within call. The woman flung open the door, thrust her arm into the staple, and shouted 1730

BOOK III.

1730

for help. McKiernan, unable to move her, swore if she did not withdraw her arm he would break it. Immediately after she found herself in the grasp of half a dozen powerful men, dragged into the road, and flung across a horse's back. She was an unusually strong girl. She clutched at their hair and pulled it off in handsful. She tore their shirts open. Half a dozen times she threw herself on the ground, to be tossed back upon the horse with execrations: one of the men at length held her on by force, another thrust his hand into her mouth, and when she made her teeth meet through his fingers, a third gagged her with a handkerchief. At length senseless and exhausted, the blood streaming from her nose, she lay swooning on the saddle. The party then divided. Five fell behind to prevent pursuit, and turned back the Tubman's farm-servants, who had followed to rescue their young mistress. McKiernan and two others went on with their victim over bogs and curraghs, till they arrived late at night at the cabin of a widow Kilkenny deep in the mountains. Sick, faint, and hoarse, covered with blood, bruised and wounded in many places, the unhappy girl was here lifted off and carried in, and McKiernan at once, and without a moment's respite, told her she must prepare to be his wife on the instant. Dreadful as her condition was her spirit did not fail her. She said he might murder her if he so pleased; she would rather die than submit to his purpose.

The widow, pretending compassion, affected to interpose. She said that no harm should befall the poor creature that night; she should sleep with her own daughter; the door should be locked, and McKiernan should not come near her. She believed the old

wretch, as she had no choice but to believe. In a romance she would have found a real protector, and before morning deliverance would have come. Reality is more cruel than imagination. She had no sooner thrown herself exhausted on the bed, than the door was burst open ; McKiernan rushed in, flung the other woman out of the room, bound Jane Tubman hand and foot, and then mercilessly violated her.

When she recovered consciousness in the morning she found herself surrounded by a gang of desperadoes, all Papists, and, as presently appeared, Papists who attended to their religious duties. They told her that they were McKiernan's guards, and that a hundred men should not take her from them. For a week she was carried from place to place, never resting two nights under the same roof. At the end of it 'an old dirty fellow' was introduced, 'with a long beard, and in his hand a string of beads.' She was made to stand up, McKiernan holding her, while the priest repeated a few words in Latin, and then said that she was lawfully married. With admirable spirit she still defied both of them; her body was in their power, but her will and conscience were still her own; and she sternly refused to make her chain more easy by consenting to wear it. Her father and her father's friends would find her yet, she said, and would see them all punished.

Unless her father was strong enough to inflict the punishment with his own hand, McKiernan knew, unfortunately but too well, that from Irish justice he had nothing to fear. 'Damn your father's soul, he coolly said. 'If you escape, and go back to your friends, I'll burn your father's house over his head, and take you away again.'

BOOK III. 1730

There was a chapel at no great distance from the place where she was last detained; McKiernan and his guards were punctual in their attendance at mass; and, with a laudable zeal for her soul, tried to persuade her to go with them. 'Damn you, you little bitch,' was the beautiful exhortation of these pious children of Holy Church, 'not one of your profession will ever go to heaven.'

In the depth of her misery, the high spirited Jane Tubman refused to allow others to run useless risks to save her. A woman named Susannah MacDowell, who appeared afterwards as a witness in the prosecution, offered to carry a message to her friends. Knowing how feeble was the Castle government; how unwilling to risk offending the Catholic mob, by assisting the magistrates to act vigorously; and fearing too that if her father interfered he might only expose himself to popular vengeance, she bade the woman go tell both him and her other relations that, for the present, they must stay at home, and keep quiet. McKiernan had sworn to her that, 'unless the magistrates sent a free pardon for himself and his men, damn his soul, her father and they should all sup sorrow.' 'Hitherto he had kept his people from doing them harm; but, damn him, he would keep them off no longer.'

At last, after three dreadful months, she stole away into the darkness one night, when McKiernan was off his guard, found her way over bogs and mountains to a Protestant settlement, sent word to her father, and was taken home.[1] Her own story upon oath,

[1] 'Depositions of Jane Tubman, Robert Linn of Killygar, Peter McLoghlin, John Scott, and Susannah McDowell.' *MSS.* 1730. Dublin Castle.

the evidence of the servants who had witnessed her carrying off, and the evidence of the woman who had been with her in her captivity, were given before the magistrates of the county and forwarded to Dublin; but, as usual, there is no trace that, for the sake of a miserable Protestant girl, the Government thought it necessary to court a collision with Catholic public opinion.

Was the Irish Parliament to be blamed because they refused to believe that the tree on which such fruits grew had lost its old corruption? because they strove to uproot a system from the soil which shielded the most atrocious of crimes?

That the people approved of these accursed deeds, that they regarded an attempt to punish them as a tyrannical interference with their rights, appeared in a still more remarkable instance.

Sir James Cotter, of Anngrove, in the county of Cork, had commanded in chief for King James in Munster, during the wars of 1690–91. He had been governor of Cork city, had represented it in King James's Parliament, and was otherwise a distinguished adherent of the fallen dynasty. Though unprotected by the Articles of Limerick, he appears to have escaped attainder, and, dying in 1705, he was succeeded by his son, who, like his father, was the idol and darling of the Southern Catholics, and is represented, by the tenderness of history, as having fallen a victim to his devotion to the cause of the House of Stuart.[1] This brilliant cavalier possessed other claims besides loyalty to the Stuarts, for the bad elevation which he obtained. Being fifteen years old at his

[1] Burke's *Peerage and Baronetage of Great Britain and Ireland.*

BOOK. III. 1720

father's death, he was placed, in compliance with the Popery Act, under the guardianship of a Protestant relative, one of the Nettervilles. He was stolen away, however, by his Catholic friends, sent to England, educated in the orthodox faith, and afterwards, while still a minor, married to the daughter of George Mathews, a Catholic also.[1] Having distinguished himself unfavourably in the election riot in Dublin, in 1713, he confined his public appearances thenceforward to his own county. In 1719, either for amusement, or in pursuance of the campaign against Protestantism, he carried off and violated the daughter of a Quaker merchant at Cork, named Elizabeth Squibb. The details of the adventure have so far not been discovered. The Quakers, however, never deficient in determination, and, on this occasion, perhaps, because the offender was concerned in some political conspiracies as well, he was arrested, tried, convicted, and sentenced. That justice should not be defrauded of its due through the connivance of the city officials, the Quakers maintained a watch of their own upon the gaol, and prevented an attempt at escape which was almost successful. Cotter was actually hanged.[2] All Cork and all the South of Ireland burst into a wail of rage, and the Friends were marked for retribution. Placards covered the walls.[3] Quaker girls were mobbed

[1] *Commons' Journals*, September 29, 1707.

[2] That the violation, and not any supposed conspiracy, was the offence for which Cotter was executed, is quite certain.

A petition of the Quakers preserved in Dublin Castle, dated June 11, 1720, declares—

'That since the execution of James Cotter for the rape he committed on the body of Elizabeth Squibb many Quakers have been assaulted and grossly abused,' &c.

[3] Two of these were sent by the Mayor of Cork to the Castle:—

The first is in prose. 'The following lines,' writes the mayor,

1720

in the streets of Cork, and threatened with being 'Cottered.' No Quaker could show in the streets. The mayor appealed to the Catholic clergy to restrain the people. The Catholic clergy either would not or could not. The passion spread to Limerick, to Tipperary, and at last over all Catholic Ireland. Quakers' meeting-houses were sacked and burnt. Quakers travelling about the country were waylaid and beaten. A girl in Dublin, who was mistaken for Elizabeth Squibb, was beset by a mob of several thousand people, and would have been torn in pieces but for the arrival of a company of soldiers.[1] The rage against the Friends continued unabated till it culminated, five years after, in an outrage for which, happily, no parallel can be found except in a Catholic

'were posted at the Land's End, going down to the house of Edward Fenn, Quaker:—

'"Vengeance belongeth to me; I will repay, saith the Lord." Now look to it, ye hell-born crew. Cotter's life shall be a sting to your cursed carcases that shall be meat for dogs, and your cursed souls to burning Acheron, where they will burn in flames during eternity. Fenn, look sharp, and other bursen-gutted dogs besides, the which were instruments of taking Cotter's breath. Other blackguard dogs look sharp.

'God save King James the Third, of England king, the whom will soon pay anguish and punish in this matter.'

The other effusion is in verse. The patriotic muse, however, was under eclipse when it was composed:—

'Poor grey-headed Ireland, with bloody tears,
Sharp revenge will seek in her antient years,
For being robbed of her famous peers.
Her drooping fabrics with grief opprest,
Her entombed heroes will take no rest,
Since Irish honour is a common jest.

Contented with loss she seemed to stand,
Erecting sweet Cotter, her head and hand,
The illustrious front of a dejected land.

But since cruel fate, in its severest course,
Did sacrifice his blood without remorse,
And not relenting, signed his full divorce.

From nature and honour grown full mad,
Their forces unto fury needs must add,
For such revenge as ne'er before was had.

Or else old Ireland will resign her breath,
And lose her life by his too sudden death,
For seas of blood will overrun the earth.

Weep, mourn, and fight all you that can,
And die with grief for that unspotted man,
A loss to nations more than I will scan.

If dead by sword, or if in field was slain,
Although the loss was great, 'twould ease the pain,
And to his heirs leave neither spot nor stain.'

—'The Mayor of Cork to Secretary Webster, May 24, 1720.'

[1] 'Examination of Rachel Carlton, servant to Ebenezer Pike, of the city of Cork, merchant, May 30, 1720.' *MSS.* Dublin.

BOOK III. 1725

country. Human wickedness is a plant which will grow in all soils and climates. The combination of fiendish malignity with pretensions to piety are the peculiar growth of the Church of Rome. The story is thus told by an eyewitness, Paul Lydy, who turned informer:[1]

'On or about the 22nd of February, 1725, Paul Lydy, with ten others, eleven in all, went to the house of Edward Johnstone, of Carroe, Quaker. Lydy, having a sledge in his hand, broke open Johnstone's door, seven or eight of them then went in and took what money and goods they could find, pulled said Edward Johnstone out of bed, tied him neck and heels and dragged him into the kitchen, and then and there heated a griddle on the fire. Three of them then put said Johnstone on the griddle, stark naked, and heaped hot coals upon him, and continued torturing him after an inhuman and barbarous manner, and burned his body, and most cruelly beat his wife. Lydy, stood at the door, and did see Johnstone striving to keep the fire from his body; and James Matthias, one of the party, still kindling the fire, and urging and saying, "You son of a whore, you are no Christian." Johnstone often begged them to consider his grey hairs, and told them he would send for 300*l.* and give it them if they spared him. At those words James Matthias tripped Johnstone and kicked him on the back to that degree that he soon after died.'[2] Their work being done, the murderers then sate down to supper. 'They had bread and

[1] Repeated, with some additional circumstances, in a Proclamation issued by Lord Carteret, a copy of which is in the British Museum.

[2] 'Examination of Paul Lydy.' *King's County Depositions*, 1726. *MSS.* Dublin Castle.

cheese, and such like.' 'Being told that there was flesh there which they might have, they said they would not eat flesh in time of Lent.'[1]

[1] 'Proclamation on the murder of Johnstone the Quaker, April 10, 1725.' The more common forms of crime in Ireland, wherever Protestants were the victims, were distinguished by a ferocity which goes far to justify even the offer of rewards for the heads of proclaimed outlaws.

In October, 1725, a party of Rapparees 'out on their keeping,' broke into the house of a Protestant miller in Wexford, named Hayes. They tore the wife out of bed in her shift; tied her to the wall naked, by the fire; and, in order to force her to tell where her husband's money was concealed, heated two chisels red-hot, and seared her limb by limb. The wretched husband said she was with child to move them to pity. One of the party answered, that he would run a red-hot chisel into her body to her child if she would not give them up her money. Next they seized the husband himself, and were preparing to burn him in the same way, when some neighbours who had heard the cries, came to their help, and the Rapparees fled.—'Examination of Catherine Hayes.' *MSS.* Dublin.

A Dublin gentleman, a Mr. Woodley, had purchased some property in Muskerry, near Headfort. He placed upon it a resident Protestant steward, named Healy, who, in a lawless neighbourhood, had a difficulty in holding his ground. The McCarties especially, once owners of all that county, but reduced to a corner of their inheritance in the Glenflesk mountains, looked with jealous eyes on the intruder. Some of McCarties' people, on one occasion, stole a drove of Healy's cattle. Healy took out a warrant against McCarty himself, and to prevent the warrant being served, the tenants determined to be beforehand with him.

On March 4, 1729, five of them, described as Papists and yeomen of Glenflesk, armed with guns, clubs, and long skenes, broke into his house and demanded possession of the warrant. When they had got it, to prevent him from giving trouble in the future, they knocked him down with their bludgeons, 'cut, stabbed, and hackled him about the face and head;' then, tying him hand and foot, forced open his mouth, cut out his tongue, shaved his ears close to the head, laid a block of stone under his arm, and smashed the bone upon it, and finally drove their skenes into his eyes and blinded him.

Even this was not enough. Leaving Healy weltering in his blood, they then set upon his wife, who was close on her confinement, beat and slashed her, and cut out her tongue also. — 'Examination of John Healy, of Coolgariff in Muskerry, March 15, 1729.' *MSS.* Dublin.

SECTION III.

BOOK III. 1734

ABDUCTION and rape were not the only weapons with which the Irish carried on the war against their conquerors. More vulgar ruffians bore their part in making Ireland a dangerous abode to those who ventured to interfere with the national prejudices.

In the year 1734 there resided in Kilrush, in county Clare, an active English gentleman named Captain Mark Newdigate. He had made himself obnoxious by threatening the parish priest, who was probably unregistered. The priest was called Richard Thornton; the priest's brother, Henry Thornton, was the Kilrush attorney, a pretending Protestant, since, without conformity and taking the sacrament, he could not have obtained his licence to practise. Looking into the main street of the town was the house of a Sylvester Curtin. One evening in November, a man called MacMahon, who afterwards turned approver and told the story, said that, as he was going home from his work, Curtin called him inside his door, telling him he would make his fortune. In the kitchen he found Thornton the attorney with seven or eight others assembled. Curtin, in introducing him, said that he knew him for a hardy fellow who could keep a secret. Thornton took out a book and swore the party one by one to silence, and then said that he had 300*l.* to divide among them if they would go by night and kill Captain Mark Newdigate. It would, as they all knew, be 'a great act of charity to put such a Pro-

testant dog out of the world.' But they must make sure work, and avoid blundering about it If not, he would be the death of their priest. They all swore an oath that they would do it, and dispersed for the moment, waiting for a convenient time. Some of them were Kerry men from across the Shannon, which at that season was often difficult to pass.

Some days later Curtin again called MacMahon, showed him a 'moidore,'[1] which the Attorney Thornton had sent to drink success to their undertaking, and told him the Kerry boys were coming over, and they must go down to the shore to meet them. They were joined at the landing-place by several more of the confederates. The boat arrived while they were waiting. Two of her crew remained to keep her afloat to receive the others when the work was finished. The rest stopped, and the whole gang, nine or ten in number, were ready for business. MacMahon, as the moment for action drew near, showed signs of flinching. Darby Hackney, one of the Kilrush party, held a pistol at his head with a curse, and told him if he would not go he should not live to tell their secrets. Being in dread of his life, and, as he innocently admitted, for the sake of his proportion of the money, he gathered up his courage. 'They all three kissed each other, and said their fortunes would be ever made by performing such a fact, and likewise that it was a good deed to destroy such a rogue that was so bad to their priest and constitution.' It was already dark, and they started for their work. But they stopped at Curtin's house on the way to apply the moidore to its pur-

[1] Portuguese money was in common use in Ireland at this time.

BOOK III. 1734

pose. Supper was laid out for them, and 'they all got so drunk that they could not pursue their business that night, and had to wait till next night, being Sunday night.' One of the party, Darby Hackney, availed himself ingeniously of the postponement to prove an alibi, should the murder get them into trouble. On the Sunday morning he fell in with two strangers in Kilrush. Having a house in the town he invited them to sleep there. He made up beds for them between his own bed and the door. He waited till they were both asleep to steal over them and creep out. And having thus provided himself with witnesses who would swear he was to their knowledge at home, he rejoined the gang, who had been lying quiet the whole day in Curtin's kitchen. At length, at eleven o'clock that night, they sallied out sober and determined. They were ingenious villains: one of them named Gallivane, or Gaff, had induced Captain Newdigate, a fortnight before, to take him as a servant. He had thus learnt the disposition of the house, the room in which Newdigate slept, and the place where he kept his arms; and, which was equally important, he had made acquaintance with the dogs, which, at night, were loose about the premises. There was no moon, and the stars were behind clouds. With Gaff for a guide they scrambled across the bogs, eight or nine in all, to the house, Gaff instructing them the while as to the position in which they would find the captain, and how to secure a large back sword which hung at his bed's head. It was eleven o'clock when they arrived. All was still. The dogs came out, but Gaff spoke to them and they licked his hand. Curtin, Darby Hackney, and three others, then each took a

large stone ; they flung them together at the house door, which flew open before the blow, and all rushed through the hall into the room where Gaff said the captain slept, meaning to stab him as he lay. Being without a light they stumbled in the darkness. The captain sprung from his bed in his nightgown, flew to the door, driving two of them before him back into the hall, and across the hall into the chimney corner. Frightened now for their own lives, these two cried out that they were being murdered. The captain shouted for his servants, calling them by their names, and bade them bring his hatchet that he might cut off the villains' heads. The servants, dared not show themselves. The rest of the gang blundered back, thrusting with their swords where they believed Newdigate to be, but afraid to strike for fear of wounding one another. The captain easily eluded them, and slipped again into his bed-room for his gun. The assassins, groping about and stabbing right and left, at length collected in the faint light at the front door. Each thought the rest had done the work; none however could give any distinct assurance of having killed their man. Gaff and the boys from Kerry plunged back determined to find him, and ' crying out to shoot him or cut his throat.' A voice from the darkness answered, ' I can shoot as well as you.' A flash followed. Newdigate's powder was damp, and missed fire. Being a powerful and extremely resolute person, he clubbed his gun, dashed at them where the dusky figures were visible coming in through the gloom, laid one dying on the floor with his skull broken, and attacked the rest so fiercely that they fled out dragging their wounded comrade. Outside they found a shivering servant

BOOK III. 1734

girl, who begged them, if they meant to kill her, to leave so much breath in her 'that the clergyman might overtake the life' before she died. 'That much pardon she should have,' they said; but they had other work to think of. They were hurrying off, when they found that in the confusion one had left his pistols, another his wig, another half his coat in the hall; proof enough to identify and hang them. Ashamed to be baffled thus by one man, they again went in and blew the ashes on the hearth into a flame. But by this time the house was roused. Newdigate's brother, who slept in an adjoining building, was heard approaching with the farm servants. Curtin said he had run the captain through the body, and he could not live till day; and, with this comfort, they made off, dragging the dead body with them.

The sequel was highly characteristic. Captain Newdigate, if wounded at all, was but hurt slightly and recovered. The priest and the attorney and the lads of Kilrush and Kerry never dared again to attack so dangerous an antagonist. A wild affair had taken place, meanwhile, a few miles down the coast, to be related in the next chapter, in which a Danish ship had been plundered of some chests of silver. The notable device of the conspirators was to swear that they were themselves the thieves, but that Newdigate had shared the booty with them. He, as an English officer, would be hanged, while they would be pardoned as approvers. This plot too failed; perhaps, as too perilous, it was planned only and never tried. The attempted murder, as usual, remained a mystery; no evidence could be found, or none that sufficed for a conviction. Two years later the story was told by MacMahon, when a prisoner in the gaol at Ennis.

SECTION IV.

CHAP. I. 1741

Irish crime, where the victim was a Protestant, assumed the character of legitimate war. Ravishers and murderers were avengers of the wrongs of their country, and, as such, were protected by the sympathies of the Catholic population. Under all conditions, even where no religion or political passion was concerned, violence was the first remedy which suggested itself. The extraordinary ferocity, which appeared occasionally in the better classes of Irish society as late as the middle of the last century, shows how inveterate by long indulgence national habits may become, and how slowly an inherited temperament can be brought to yield to the restraints of law and civilization. Symptoms however were beginning to show themselves of a better state of feeling, where the juries were not misled by national prejudice.

The Bodkins of Galway were descended from an Archbishop of Tuam, who, in the beginning of the sixteenth century, so far disregarded the laws of the Church as to beget and establish a family. There were, by this time, several branches of them. They had preserved their estates under the Articles, and among them held considerable property. Among the rest was a certain Oliver Bodkin, of Carnbane, a gentleman with an estate worth nine hundred a year—a large fortune for Ireland in the first half of the last century. He had a brother called blind Dominick, blind of one eye; a son by a first marriage, named John; and, by his second wife, Margery, who was still living, another boy, a young Oliver, named after

BOOK III. 1741

himself. The head of the family was a cousin, Mr. Bodkin of Carnbegg, a place at no great distance from Carnbane. All these Bodkins were Catholics.

The birth of the son by the second marriage, created jealousy and ill-feeling. Alterations were made in the settlements which the elder brother thought himself entitled to resent. He quarrelled with his stepmother. His uncle Dominick took his side, and probably his kinsman at Carnbegg, for young John had left his father's house with the expectation of being appointed steward of the Carnbegg estate, where he had taken up his residence. He was a loose vagabond, given chiefly to idleness and horse-racing. Possibly he was found unfit for the office, or, from other causes, his prospects were unpromising. He preferred a nearer road to independence, which he could combine with the gratification of his revenge. 'Blind Dominick,' 'a man of huge bulk and horrid aspect,' had perhaps, also, some private grudges of his own. Shan Reagh—Red Shan—one of Oliver Bodkin's servants, was devoted to the elder son's interests, and resented the disfavour into which he had fallen. With the help of these two, and a friend named Edmund Burke, young John determined to 'revenge the villany and roguery of his father and stepmother,' and remove out of the way the little brother which had stood between him and his fortune. It was the race week at Tuam, in September, 1741. Believing, or pretending to believe, that suspicion would at once fall upon him, he proposed, at first, that he should himself attend the races; that his uncle and the others should do the work in his absence, and that the spoils should be divided afterwards. This arrangement was not approved. The youth himself being the person chiefly

interested, the other confederates insisted that he must bear his part, and he agreed to remain. Their number being still too small for so dangerous an enterprise, one more confederate was wanted. A certain Roger Kelly was pitched upon as a likely person; and, as a preliminary, Kelly, young John, Uncle Dominick, and Edmund Burke dined together at Carnbegg House, and discussed their plans over tumblers of whiskey punch. Steel was preferred to firearms as making surer work. Kelly was asked if he had a knife fit for the purpose. He produced a heavy clasp knife. Dominick, who was a judge of weapons, objected that it would not answer, and brought out two long keen Irish skenes, which he said he would retouch upon a grindstone. Kelly was a sufficiently hardened villain, but his blood ran cold at these deliberate preparations. He went home, feigned illness, and shut himself up in his house; and the others, not caring to betray their secret further, concluded to act alone. A Galway merchant was staying at Carnbane, as Oliver Bodkin's guest, who was reported to be a fearless, resolute man. They would have preferred to wait for his departure. But delay was dangerous. They met the following midnight outside the yard, Blind Dominick leading a large mastiff, 'to worry the house-dog should he fly at them;' and they four—young John, his uncle, Edmund Burke, and Red Shan—stole through the gate together. The farm servants, two men and two boys, slept in the barn. Young John opened the barn-door, and asked whether Mr. Bodkin, of Carnbegg was in his father's house that night. The men knew the voice, and answered drowsily that he was not, and turned over to sleep. It was a sleep from which they never woke. A few minutes later

BOOK III. 1741

the skenes were across their throats. Each murderer secured his victim, and the four men and boys were quietly despatched. Safe from alarm from without, they then went on to the dwelling house. The dogs, who knew them, let them pass in silence. They entered without noise. The situation of every bed being familiar to them, they had no need of lights. Two servants, a man and his wife, slept in the hall, on the left of the door where they glided in. Blind Dominick and Edmund Burke stabbed them both to the heart. No witness was to be left alive to convict the murderers. Young John disposed of the merchant in the stranger's room with equal swiftness and decision. Red Shan undertook the master of the house, and went direct to the room where old Oliver was sleeping, with his wife and the little boy. The wife, who had been roused by an unusual sound, darted from the bed as he entered, and ran to the door. Shan, 'having a mind,' as he said, 'that she should escape,' allowed her to pass; but he cut the old man's throat where he lay, and afterwards killed the child. The mother reached the kitchen, only to fall into the hands of blind Dominick, her brother-in-law. She screamed for pity; he answered with a stab of his skene, and she too fell dead on the floor.

The completeness of the work—for every human creature in the house was destroyed—did not save the murderers. Public feeling, slowly as it changed, was roused to horror at so enormous a crime. Suspicion fell instinctively on those in whom alone a motive could be imagined to prompt such a deed. Kelly, anticipating discovery, told what he knew. Red Shan, to save his own life, turned approver, and described the horrid scene in all its particulars. All the parties were taken and brought to the bar immediately

at the Galway Assizes. So profound was the excitement, that every detail was dwelt on with prolonged intensity. The hearing of the evidence lasted fourteen hours. The jury, with a promptitude which showed that here at least there was no misleading sympathy with crime, returned their verdict in ten minutes; and Burke, and young John Fitz Oliver, as he was called, and the huge one-eyed Dominick were instantly hanged.

The whole county was shaken with the horror of a story the memory of which still vaguely clings about the neighbourhood. Wild rumours filled the air. Dominick's ghost, it was said, had drawn the curtains of a friend sleeping sixty miles away, at the hour when the murders were being done, and muttered threats of savage revenge. For once even the Galway mob were on the side of justice, and the assassins went to their doom amidst a chorus of execrations, unbroken with the faintest note of sympathy.

Yet Ireland was but reaping the fruit of her own leniency for patriotic criminals, whose deeds were in no degree less infamous. Her tenderness for rape and murder, where the victims were her imagined enemies, familiarized the minds of men with violence; and when it is remembered, that all the parties concerned were gentlemen, members of one of the best families in the county of Galway, the Bodkin murder must be regarded as characteristic of a condition of society in which alone the passions could have been generated which prompted such elaborate ferocity.[1]

[1] For the history of the Bodkin murder, see 'Confession and Examination of John Hogan, otherwise Reagh, of Carnbegg, Co. Galway, September 23, 1741.'

'Confession of Roger Kelly, September 26, 1741.' *MSS.* Dublin Castle.

'The Bishop of Clonfert to the Bishop of Dromore, March 27, 1742.' *MSS.* Record Office.

CHAPTER II.

THE SMUGGLERS.

SECTION I.

BOOK III. 1730

When England, in defence of her monopolies, thought proper to lay restrictions on the Irish woollen trade, it was foretold that the inevitable result would be an enormous development of smuggling.

The price of fleece wool in Ireland in 1730 was fivepence a pound; of combed wool twelve pence a pound. In France Irish fleece wool was sold for two shillings and sixpence a pound; combed wool from four shillings and sixpence to six shillings.[1] The profits of the contraband trade were thus so enormous, that the temptations to embark in it were irresistible. Out of the thirty-two counties of Ireland nineteen were maritime. The coast round three-quarters of the island was indented and pierced by deep bays and intricate creeks, which from the sea it was impossible effectively to watch. On land, with the whole population combined to embarrass and defeat them, an army of revenue officers would have been insufficient to prevent the running of cargoes. Enormous wages would have been necessary if they were to be proof against the corruption to which the gain of the trade would ensure their being exposed; while, in the eyes of the Irish themselves, the evasion of the iniquitous law which had destroyed their lawful commerce was exalted into a virtue.

[1] 'Proposals to prevent the exportation of wool to France:' by Mr. Knox, 1730. *MSS.* Dublin Castle.

CHAP. II.

1730

Thus, in spite of English Acts of Parliament, and the fleet of armed cruisers which hung about the southern and western shores, four-fifths of the Irish fleeces were carried annually to France. The rivalry which the English clothiers so much dreaded became a fact in spite of them. In 1779, when the Government condescended at last to listen to the remonstrances of the Irish Parliament, Mr. Hely Hutchinson laid privately before Lord Harcourt a fair statement of the system and of its consequences.

'As the law stands,' he said, 'we can sell our wool and woollen goods only to Great Britain. We can buy woollen cloths there only. If such a law related to two private men instead of two kingdoms, and enjoined that in buying and selling the same goods one individual should deal with one man only in exclusion of others, it would in effect ordain that both as buyer and seller, that man should fix his own price and profit, and would refer to his discretion the loss and profit of the other dealer. You have defeated your own object. The exclusion of Ireland from the woollen trade has been more injurious to you than to us. One pack of Irish wool works up two packs of French wool. The French undersell the English, and, as far as they are supplied with Irish wool, the loss to England is double what it would be if the Irish exported their wool manufactured. . . As to the practice of running wool, Ireland has paid to Great Britain for eleven years past[1] double the sum

[1] He might have said 50 years. In 1729 the total exports of Ireland were - - - £1,053,782
The total imports - 819,761
Balance - £234,021
Out of which balance Ireland paid in rents to absentees 600,000*l.* The absentee rents rather increased than diminished with the progress of the century. Heavy pensions were paid by the Irish Establishment to persons residing in England. There were no gold or silver

BOOK III. 1730

she collects from the whole world in all the trade which Great Britain allows her; a fact not to be paralleled in the history of mankind. Whence did all this money come? Our very existence is dependent on our illicit commerce.'[1]

Ingenuity could not have invented a commercial policy less beneficial to the country in whose interests it was adopted, or better contrived to demoralize the people at whose expense it was pursued. A large and fast-spreading branch of manufacture was destroyed, which was tempting capital and enterprise and an industrious Protestant population into Ireland,—a form of industry was swept away which would have furnished employment to the native Irish, and brought them under settled habits, which would have made four Ulsters instead of one, and raised each of the four to double the prosperity which the province which preserved the linen trade has in fact obtained. But even these consequences were not the worst fruits of these preposterous restrictions. The entire nation, high and low, was enlisted in an organized confederacy against the law. Distinctions of creed were obliterated, and resistance to law became a bond of union between Catholic and Protestant—Irish Celt and English colonist,—from the great landlord whose sheep roamed in thousands over the Cork mountains to the guager who, with conveniently blinded eyes, passed the wool packs through the custom house as butter barrels; from the magistrate whose cellars were filled with claret on the return voyage of the smuggling craft, to the judge on the bench who dis-

mines in Ireland. The money that went out must have come in from some quarter or other; and the profits of the smuggling trade give the only conceivable explanation.

[1] 'Mr. Hely Hutchinson to Lord Harcourt, July 1, 1779.' *MSS.* Record Office.

missed as frivolous and vexatious the various cases which came before the courts to be tried. All persons of all ranks in Ireland were principals or accomplices in a pursuit which, however pardonable in itself, could be carried on only by evasion, perjury, and violence. The very industry of the country was organized upon a system which made it a school of anarchy; and good servants of the state, who believed that laws were made to be obeyed, lay under the ban of opinion as public enemies.

At the beginning there was neither attempt at nor need of concealment. Cargoes of spirits were landed at Dublin Quay. If notice was given to the Commissioners they turned the other way.[1] Packs of wool lay in open daylight in the warehouses at Cork, and were shipped in vessels lying along the quay. The officers of the customs looked on with undisturbed composure. The few who might have wished to interfere knew that it would be useless, and did not care to make themselves hated gratuitously.[2] Finding themselves defied in this way, the Government tried stricter methods, substituted English officers for Irish at the chief ports like

[1] 'One of the smugglers came lately into Dublin harbour itself, and was running her cargo at midnight, when accidentally discovered by an acquaintance of mine, who seized the goods, and was tempted by a good round sum to make up the matter; but being proof against temptation would not, being persuaded the goods would be forfeited. To his loss and my great surprise they were acquitted, as I hear, by the Commissioners of Customs, to the great discouragement of all honest merchants.'—'Hugh Guyon to Lord Carteret, Jan. 20, 1725.' *MSS.* Dublin Castle.

[2] All officers that attempt to obstruct the exportation are discountenanced, nor will a jury find a seizure, or a judge condemn it. Wool goes out by shiploads, and warehouses at the water side are crammed with it, and no notice taken except by accident now and then. Greater quantities are sent to France than are consumed in this country, or sent to England.'—'Charles King to Lord Stanhope, February 15, 1716.' *MSS.* Record Office.

BOOK III. 1730

Waterford and Cork, and stationed cruisers along the coast to seal the mouths of the smaller harbours. But the trade only took refuge in bays and creeks where cruisers dared not run in. If encountered at sea the contraband vessels were sometimes armed so heavily that the Government cutters and schooners hesitated to meddle with them. If unarmed and overhauled, they were found apparently laden with some innocent cargo of salt provisions. The wool was pressed with screws into barrels, which were washed with brine, that they might pass for butter, herrings, or salt pork casks. The more determined the authorities showed themselves the more resolute were the Irish, the lawlessness and wildness of the trade giving it fresh zest. Driven from the Cork warehouses the packs were stored in caves about the islands, and cliffs, and crags, where small vessels took them off at leisure; or French traders, on signal from shore, sent in their boats for them. Chests of bullion were kept by the merchants at Rochelle and Brest to pay for them as they were landed. When the French Government forbade the export of so much specie, claret, brandy, and silks were shipped for Ireland in exchange on board the vessels which had brought the wool.[1]

Thus, by a curious combination, the system worked the extremity of mischief, commercially, socially, and politically. It fostered and absolutely bred and necessitated habits of lawlessness. It promoted a close and pernicious connexion between Ireland and France. In times of war French privateers found shelter all along the Irish coast in positions most convenient to them, and most dangerous to English commerce. In times both of war and peace, it

[1] 'Proposals to prevent the exportation of wool to France,' by Mr. Knox, 1730. *MSS.* Dublin.

inundated Ireland with wine and brandy cheap and excellent, and produced the hard drinking which gave social life there so ill a fame. Singularly too, while the smuggling provided an open road for the going and coming of the priesthood, it linked itself to the service of the Pretender. Irish 'Wild Geese' in thousands were drafted down to Kenmare or Dingle, Galway or Roundstone, and were shipped to France. If the Pretender was meditating a descent, Irish regiments were collected for him at a few weeks' notice. If the Pretender himself was lying quiet, there was always the Irish brigade, earning pay and glory under the flag of England's enemies. Wherever along the southern and western coasts English authority and English civilization had taken root, means were found to clear away the intruders, or make them conform to the customs of the country. An active officer like Captain Newdigate could be shot or knocked on the head. The Protestant settlements on the Kenmare river, which had been established by Sir William Petty, dwindled slowly away. Most of the families melted into the Irish population. The few who retained their English creed and habits, and were thus inconvenient neighbours to the smugglers, were at last carried away as prisoners by French privateers. The gentry entered heartily into the game. 'Though there are several Protestant gentlemen in the county of Kerry,' wrote the Duke of Devonshire in 1740, 'yet for one odd reason or other there is little prospect of doing good by their means.' The Knight of Kerry, who was the occasion of the Duke's observation, had his cellar regularly supplied from Bordeaux, and in return was blind to everything which it was not desirable that he should see.

SECTION II.

BOOK III. 1719

SINGULAR pictures survive of some of these Kerry potentates who, 'for one odd reason or another,' were found unserviceable for keeping order. The enormous, but at the time when it was granted entirely unprofitable, property there which fell into the hands of Sir William Petty, had lapsed gradually under long leases to middle-men, who, though compelled by law to profess conformity with the Establishment, earned absolution by the steadiness with which they entertained and protected the priests. Petty had bequeathed to his descendants along with his fortune a considerable political genius, and had the Shelburne family consented to reside on their estates, these gentlemen would either have had no existence, or would have found the sphere of their activity altogether curtailed. But the Shelburnes became habitual absentees. The small beginnings of civilized life, which had been introduced there, disappeared; and, so long as their rents were regularly paid, they asked no questions, and troubled themselves with no responsibilities.

The great baronies of Dunkerron and Iveragh, which form the north shore of the Kenmare Bay, extending from Kenmare itself forty miles to Waterville, and thence inland to the watershed where the streams divide which run into the bays of Kenmare or Dingle, were held along with other properties, in the early part of the last century, under a lease renewable for ever by Mr. Daniel (or Donell) Mahony, of Dunloe.

CHAP. II.

1719

In Dunkerron there yet lingered a dozen Protestant families, the last remnant of Petty's colony, quiet people, who had come to make a living by industry, and were unsuited to their present master. These families had occasion, in 1719, to represent their situation to the Viceroy. Mr. Mahony, they said, 'had for some years continued to make himself great and dreadful in the county.' He had four thousand people under him, under-tenants and their labourers, all Catholics, whose business was to prevent the collectors of the revenue from troubling honest fellows with their importunities; to keep at a distance the whole race of bailiffs and process servers; in short, to make what are called law and order impossible in Kerry. Going about by day disguised as women, at night in large gangs, with blacked faces and white shirts, they were called Mr. Daniel Mahony's fairies, and never had wizard familiar spirits better disposed to do his bidding. 'So mighty was Mr. Mahony's power, that no Papist in Ireland had the like.' There were still some few forests on the mountain sides which Lord Shelburne retained; but his rangers existed on sufferance, and, if they gave trouble, were immediately '*mortified*.'[1] 'Hearth-money collectors and civil officers went about in peril of their lives.'

Daniel himself was described as 'a wilful man, without remorse or conscience.' Sheltered by Lord Shelburne's name, and affecting to be his representative, 'if he sent the least word, he was obeyed upon all unlawful occasions;' and he had counsellors and attorneys in his pay at the Four Courts, who carried him through when a poor creature sought protection against him from the law. Once and once only the

[1] Murdered?

BOOK III.

1719

Government had meddled with him. On all the lands held under the Act of Settlement there was a quit rent reserved to the crown, which was paid by the tenant. It was surmised, with excellent reason, that Mahony had made an imperfect return of the lands held by him under his lease from Lord Shelburne; and a surveyor, named Maurice Kennedy, was sent down to Killarney to make enquiries. The Viceroy might be supreme in Dublin Castle, but Donell Mahony was sovereign at Killarney. The ill-advised Maurice had made his notes; had discovered, as he conceived, distinct delinquency, and had collected evidence to prove it. The Fairies one night burst rudely into his lodging, dragged him from his bed, beat him with most unghostlike efficiency, plundered him of the papers which were to bring Mahony to justice, and left him to find his way out of the country a sadder and a wiser man. The Dunkerron memorialists could but pray the Viceroy to quarter a company of soldiers at Dunloe to 'civilize Mr. Mahony and his spirits,' if Kerry was to remain a home for loyal subjects and peaceful industry.[1]

It is hardly necessary to say that a Dublin Lord Lieutenant was no match for Daniel and his four thousand Fairies. The memorialists either submitted to fate and to the ruler which the genius of Ireland had set over them, or betook themselves to some more quiet home. The singular figure of Daniel Mahony is a specimen of the class of middlemen to whom the wild districts, now frequented by tourists and sportsmen, were surrendered for the greater part of the last century. Absenteeism was bearing its legiti-

[1] 'Humble Address of His Majesty's loyal subjects of Macquinihy, 1719.' *MSS.* Dublin Castle.

mate fruit. The escheated lands of the chiefs had been allotted to Englishmen to reclaim and civilize, and to settle with Protestant colonies; and the English owners, reducing their duties to the receiving of rents and spending them, left the lands to those who have created modern Ireland and the modern Irish race.

At times the type assumed a form yet wilder and more picturesque. Sir William Petty's domains extended to the south as well as to the north side of the Kenmare river. The long peninsula which divides the bays of Bantry and Kenmare, had been the dominion of the O'Sullivans of Berehaven, and Sullivan still remains the name of half the families in the barony. There, too, in the midst of the mountains, the descendants of the old chief's family continued as the vicegerents on the soil of their fathers, amidst the wrecked remains of the once thriving Protestant colony. The Wild Geese and the privateers swept off the handful that remained, and had now the bay to themselves; and the O'Sullivan of Dirreen ruled without a rival, a great smuggling chief, and a trusted agent of the Pretender, through whose hands the enthusiasts for his cause were shipped for Nantes and the brigade.

Morty Oge O'Sullivan, O'Sullivan Bere as he was called—as much loved and honoured as his kinsman of Dirreen—had made his home ten miles nearer to the Atlantic beyond the Shelburne boundary, on the wild bay of Bally Quoilach, at a place called Cleinderry. Morty, in his youth, had been a distinguished officer in the Austrian army, where, had he chosen to remain, he might have risen to rank and favour at the court of Maria Theresa. His country and his

BOOK III.

1751

King—his country rather, and the adventurous life which opened to him there, had charms too strong for him to resist. He went home, and undertook the convoying of the Wild Geese; and at Cleinderry, an outlaw with a price on his head, yet secured on the land side by the idolatry of the O'Sullivan clan, and at sea strong enough to be his own protector, Captain Morty for a score of years lived and throve, and defied the Government and its myrmidons to meddle with him. His brigantine, which lay moored before his door, carried eight heavy swivel guns. She was so strong that no cruiser ventured to engage her single-handed. The anchorage was so dangerous, so intricate, and well guarded, that no combined force could venture in to assail her. In peace time she was a smuggler. In war she carried the French flag under letters of marque, and was the pest and plague of English commerce; and Paul Jones and 'Le Bon Homme Richard' were scarcely more terrible thirty years later in the two channels than Morty Sullivan and his Irish clipper.

At length, in the middle of the century, a brave and honourable revenue officer named Puxley, inherited from his brother an estate at Berehaven on Bantry Bay, from which there was a near pass through the mountains to Morty's den.

Revenue officers were usually rendered harmless by quiet methods. Their pay was small. The Government was lax. They had only to accept a percentage on the cargoes run out or in, and to be conveniently absent when anything was to happen of which they were to be kept in ignorance. Puxley, who is said to have come from Galway, yet was English in character, and had brought with him

English notions of duty. In 1751, soon after his arrival, he sent an account of Morty to Dublin Castle, and suggested means by which both he and his brigantine could be captured.[1]

As usual, no notice was taken. There being no formal coastguard in those days, each officer was obliged to rely upon his own resources, and, if he intended to be active, had to gather men about him on whom he could depend. Puxley added to his lands about Berehaven, either buying or taking leases for lives. He inherited from his brother, among other places, the famous Dunboy Castle, which was stormed by Sir George Carew in the Earl of Tyrone's rebellion, after a splendid defence by Morty's ancestors, in which the whole garrison perished. He had thus an important position, but one which at the same time strengthened the smuggler's hatred of him. Here, in their midst, was one of the tyrants of Ireland of the true old ruling stamp; and either they must make short work with Puxley, or Puxley would make an end of them.

He knew his danger, but, dangerous or not, he had undertaken a work which he meant to go through with. The brigantine went to and fro between France and the Kenmare river. In the summer of 1752 Puxley reported her as lying at her moorings, having just come in from the sea. She had brought a cargo of arms, which had been landed, and were being distributed among the people. Some French officers had arrived in her, who were sent to recruit for the brigade. She was taking in wool with which she was about to sail for Rochelle, and on her next voyage she was to carry back the officers and men.

[1] 'Extract of Letter from John Puxley, September 14, 1751.' *MSS.* Dublin Castle.

BOOK III. 1751

If Morty's doings were known to Puxley, Morty's own eye was fixed no less keenly on the English officer. He had already disposed of one at least of Puxley's predecessors who had been too officious. Puxley himself was doubly hateful as the possessor of Dunboy. He could stir nowhere without a guard. 'If these Raps could put him out of the way,' he said, 'they would govern as they pleased, and carry on free trade with France and Spain.' He begged for a frigate, with a company of soldiers from Kingsale. With this assistance he undertook to make a clearance of the two bays; search all the hiding-places, discover the arms and the French officers, and, perhaps, take even Morty himself.

If it was worth while to paralyse Irish trade with prohibitory laws, it might have been expected that means so simple and obvious would not have been neglected to make those laws effectual. But the smuggling interest was potent even in Dublin Castle itself. No frigate came from Kingsale. Not a ship of war of any kind, Puxley said, had been seen at Berehaven since he became an officer. Single-handed, he was no match for Morty; so, till help came, he kept to his own side of the mountains, and made war with his own armed boats on the petty smugglers of Bantry and Glengariff. Through the autumn and winter of 1752 he worked bravely on. By the following summer he had seized half a dozen cargoes; and had sunk as many sloops, or driven them ashore on Whiddy Island.[1] Morty, busy with his own concerns, or not caring to meddle so long as he was himself let alone, left Bantry to deal with him, and

[1] 'John Puxley to the Revenue Commissioners, June 9.' *MSS.* Dublin Castle.

the Bantry men having no stomach for a fight tried safer means. CHAP. II.

All the country side was by this time furious; the wool packs lay rotting in the caves; the stores of claret and brandy ran low, and no full cargoes could be run in Glengariff harbour to refil thē empty bins. Who was this miserable Puxley that he should spoil the trade by which the gentry were making their fortunes, which the Castle winked at, and which the connivance of half a century had legitimatized? In the twilight of the South of Ireland civilization, it had been discovered that the forms of self-government which England had introduced, could become in skilful hands as good a weapon as the sword. Law administered by Irish juries and magistrates did the work of anarchy, and violence ceased to be necessary, save in the rare cases where law had been tried and failed. 1751

'Necessity,' wrote the unfortunate officer to his employers after four years' work at his post, 'obliges me to give your honours the trouble hereof, and to let you know the unhappy situation I am in at Berehaven, ready to be devoured by my enemies the smugglers, who have all concerted my banishment out of that unhappy country—as well Protestants as Papists. They are joined by some of the landlords of the Berehaven estate to execute their design. To which intent they keep me constantly going at assize and sessions by laying themselves out in every respect to provoke and abuse me both publicly and privately; all which malice arises from no other provocation given them more than my activity in serving the crown, and being a check to the trade formerly carried on in this country, which I have destroyed. . . . I have been so unfortunate as to have six or seven landlords

BOOK III. 1754

to every denomination of land in that country. I have better than half of what farms I hold in lease. The other parts which I have not in lease I could not get by any means, which lays me under the greatest difficulty, for the owners thereof have put Papist tenants in common with me throughout the whole, and also in my dwelling-house they have put a tenant. I assure you his majesty has not a subject in the kingdom so much oppressed as I have been; and, though my forefathers fought for liberty, I am made a sacrifice to Papists supported by Protestants, who will, if they can, deprive me of liberty and property.'[1]

The ingenious persecution either failed, or was too slow in effecting its purpose. Or it may have been that the captain of the Cleinderry brigantine was stirred to action by some fresh grudge of his own. At any rate a revenue officer determined to do his duty was a public nuisance of whom it was necessary to rid the country; and, as Puxley stood to his work in spite of legal annoyances, there remained the good old method which could be better depended on. One Sunday in March, two months after his last letter to the Commissioners, as he was on his way to church at Glengariff, he was waylaid 'at a smith's forge' by Morty and two companions, and there killed.[2]

The murder of an active public servant by so notorious a person as Morty was too serious a thing to be passed over. The brigantine was busy as ever, and at that moment there was a special cause of irritation with Morty, for a party of soldiers had

[1] 'John Puxley to the Revenue Commissioners, January 27, 1754.' *MSS.* Dublin Castle.

[2] 'Samuel Morris to the Commissioners of Revenue, March 14, 1754.' *Ibid.*

been tempted by his agents to desert from a regiment at Cork, and were hiding in the mountains, waiting for Morty to carry them to France. The Garland frigate lay at Kingsale. Orders were sent to the captain to go round into Kenmare Bay, discover, and sink her. The difficulties, whatever they were, which invariably attended active measures, against the Irish smugglers, if overcome at the Castle remained formidable at Kingsale. The captain of the Garland wrote that he was detained at his anchorage by a gale of wind. The same cause, he pretended, must prevent the brigantine from sailing, and when the storm lulled he promised to go in search of her. Either the brigantine was a better sea boat than the Garland, or Morty a better seaman than her commander, for before the Garland left her anchorage the brigantine was away on the coast of France. Morty, however, was not to escape so easily. The half-awakened justice would probably have sunk to sleep again, but for Puxley's two nephews, Henry and Walter Fitsimon, who shamed, or spurred, the Governor of Cork into real exertion. Walter had a small vessel of his own; another belonging to the crown lay at Cove. Two months later, when Morty was known to have returned to Cleinderry, Henry Fitzsimon with these two boats and a company of soldiers went round to Berehaven. They came in from the sea after dark. The troops were silently landed, and a rapid march of an hour in heavy rain, through the pass in the hills, brought them about midnight to Morty's dwelling-place.

It was a strange wild place, close to the sea, amidst rocks and bogs and utter desolation. Near it stood the wreck of a roofless church, and the yet older ruin

BOOK III.

of some Danish pirates' nest. The shadowy form of the brigantine was visible through the grey sheet of falling rain at anchor in the harbour, and from the rocks at the entrance came the moaning of the Atlantic swell. Morty, looking for no visitors on such a night, had neglected to post sentinels. The house was surrounded, and the wolf was trapped. The dogs inside were the first to take alarm. A violent barking was heard, and then suddenly the door was thrown open. Morty appeared in his shirt, fired a blunderbuss at the men who were nearest him and retired. A volley of small arms followed from the windows and slits in the wall. One soldier was killed and three others wounded. The strictest orders had been given to take Morty if possible alive, and the fire was not at first returned. The house was evidently full of men; eighteen of them bolted, one after the other, in the hopes of drawing off the troops into pursuit. Each, however, was caught and examined, and, when found not to be the man whom the party came in search of, was let go. At last there were but five left in the house. Morty saw that his time was come. He did not choose to be taken, and determined to die like a man. He sent out his wife and child, who were with him, with a request that their lives might be saved. The officer in command received them kindly, and gave them such protection as he could. Morty himself refused to surrender; it was determined to set fire to the thatch, and wild fire was thrust under the eaves. The straw was soaked with the wet, and long refused to catch. At last it blazed up; the flames seized the dry rafters; the roof fell in; and, amidst the burning ruins, Morty and his four remaining companions were seen standing at bay,

blunderbuss in hand. He was evidently desperate, and to save life it was necessary to shoot him. The soldiers fired; Morty fell with a ball through his heart. Two of his comrades fell at his side; the other two were taken; the same two, it so happened, who had been Morty's companions at the murder of Puxley.[1] One of them, Little John Sullivan he was called, was perhaps Morty's kinsman; the name of the other was Daniel Connell. The barony of Iveragh and Darrynane Abbey, where the Connells, or O'Connells, of later celebrity had already established themselves, was but seven miles distant across the water; and it is thus possible, and even probable, that Daniel Connell who had assisted at Puxley's murder, and escaped the bullets at Cleinderry, was a scion of the same family which, in the next generation, produced the Liberator.

The weather making it impossible to carry off the brigantine, she was sunk, when daylight came, at her anchorage. The fire was extinguished; the ruins of the house were searched; and Morty's account books, (he was punctual as Dirk Hatteraick himself in his money transactions), his bills, notes, and papers were found uninjured. Among them were found letters from many persons of consequence in the county, showing that they were accomplices in the assassination of the revenue officers. Twenty ankers of brandy and some chests of tea had been destroyed by the fire.

[1] Fitzsimon even says that they had taken an active share in the murder.

'We had the pleasure,' he writes, 'of shooting him dead, and two of his accomplices, and likewise *took Daniel Connell and little John Sullivan prisoners, who were the principal murderers.*'—'Henry Fitzsimon to the Commissioners of the Revenue, May 7, 1754.' *MSS.* Dublin Castle.

BOOK III. 1754

Morty's body was carried to Cork. His head mouldered upon a spike over the gate of the south gaol. The rest of him was buried in the Battery. The prisoners can be traced to the gaol; there is no mention that either of them were hanged, but of their further fate the records are silent.

So ended one of the last heroes of Irish imagination, on whose character the historian, who considers that he and such as he were the natural outgrowth of the legislation to which it was thought wise and just to submit his country, will not comment uncharitably. He had qualities which, had Ireland been nobly governed, might perhaps have reconciled him to its rulers, and opened for him an honourable and illustrious career. At worst he might have continued to serve with his sword a Catholic sovereign, and might have carved his way with it to rank and distinction. He was tempted home by the opportunities of anarchy and the hopes of revenge. In his own adventurous way he levied war to the last against the men and the system under which Ireland was oppressed. When he fell, he fell with a courage which made his crimes forgotten, and the ghost of his name still hovers about the wild shores of the Kenmare river, of which he was so long the terror and the pride.[1]

[1] For the account of the death of Morty Oge O'Sullivan see an extract from the *Cork Remembrancer*, May 9, 1754, quoted by Crofton Croker in the *Keen of the South of Ireland*; 'a Letter of the Captain of H.M.S. Garland, March, 1754;' and the 'Letter of Henry Fitzsimon to the Revenue Commissioners, May 7, 1754.' *MSS.* Dublin Castle.

SECTION III.

I HAVE told the story of one distinguished Sullivan. I have now to tell the story of a second, himself also a representative Irishman though of a less worthy type. CHAP. II. 1727

Sylvester O'Sullivan, a near kinsman of Morty, perhaps his uncle, for he was of the highest blood of the clan, bred like him on Kilmakilloge harbour, but given rather to books than to the adventurous habits of his relations, had, about the year 1718, been the master of a Catholic school in Dublin. He might have taught Virgil and Ovid to lads of his own creed, even under the shadow of the Parliament, without danger of the law interfering with him; but he had the misfortune, or the rashness, to pervert two scholars of Trinity College, whom the High Church fellows had already led to the edge of the Catholic faith. For this exploit he was tried under the penal statute, and required to transport himself abroad. He went to Paris: but the Continent disagreed with him; he began to pine for home, and, after a few years, presented himself to Horace Walpole, who was then English ambassador at the French Court, expressed contrition for his sins, and professed a desire to do some service to the English Crown which might entitle him to pardon. Horace Walpole enquiring what the service was to be, O'Sullivan produced a sketch in writing of the enterprise which he contemplated. It was nothing less than to take advantage of the connexion of his family with the Cork and Kerry smugglers, and of his own reputation

BOOK III. 1727

as having been persecuted for his religion, to wind himself into their secrets, spy out their hiding-places, discover and report on the persons of rank and position whom he could find to be in correspondence with them, procure, in fact, such information as would enable the Government to break up the traffic.

If a man volunteered a disgraceful but useful occupation it was not Walpole's business to discourage him. He gave O'Sullivan a letter of credit should he be arrested on returning to Ireland. Thus provided he went down to Nantes, fell in there with the master of a Kingsale brig, which was taking in her contraband cargo—brandy, linen, and tea; and giving his name, which seemed a guarantee for his honesty, was admitted as passenger to Valencia, for which the brig was bound. It was midwinter, when the cruisers were off their stations, and the coast was clear. The main channel into the roadstead of Valencia opens to the north, with a passage practicable in all weathers. Immediately within is a large, roomy, and perfectly safe harbour, where at this time a king's ship was usually stationed. From the main harbour to the south-western entrance, where the telegraph wire now plunges into the Atlantic, runs a strip of quiet water ten miles long, which divides the island from the main land. Here, sheltered behind the mountains, through a rift in which the channel opens to the ocean, lies the small basin of Port Maghee.

The approach on this side is supremely dangerous; the enormous seas which have broken on the Irish shore for hundreds of thousands, perhaps millions, of years, have eaten their way through the rocks, destroying the more yielding portions, and leaving the harder nodules rising from the bottom in treacherous

ridges or invisible needle points, over which the rollers pour in roaring cataracts of foam. A sailing vessel attempting to enter with anything but a leading breeze, if caught in the narrow outlet in heavy weather by an eddy of wind among the hills, would be broken against the crags like an egg. A stranger shuns the place as the ancient mariners shunned the fatal cliffs of Scylla; and, for the same reason, it was the chosen resort of the local smuggler. Here, three days after Christmas, in the year 1727, the Nantes brig made the Irish coast, and passing boldly in with a west wind between the breakers, was soon at anchor in the quiet cove, which was called after the family of the Maghees, to whom the land belonged.

1727

At this time the ruling potentate was a widow, the widow Maghee she was called, once Bridget Crosby, sister or cousin of Sir Maurice Crosby, of Ardfert, the member for the county. The new comer had a warm welcome. Smuggler was to smuggler a friend that sate closer than a brother. No informer as yet had ventured into Kerry. The widow's own sloop was lying at the pier taking in a cargo of wool. Boats and lighters came off in the daylight to carry in and dispose of the Nantes brandy kegs. In the middle of their operations a man-of-war's gig came down from the guardship at Valencia, with an order for the brig to move up to the main harbour: not, however, for any vexatious inquiries into her contents, which were perfectly notorious, but only because the captain and officers expected a percentage of the spoil. The watch-dog was to share the carcase with the wolf, and preferred to keep his eyes on the division. The brig ran up as she was ordered, anchored within a cable's length of the ship, and went on with her

BOOK III. 1728

business. The country people came on board in hundreds. A brandy auction was held on deck, and a hundred and twenty ankers were disposed of as fast as the boats could take them away, besides what the captain, and officers, and crew of the man-of-war received for their own perquisites.

All this pretty scene Sylvester O'Sullivan was noting down at his leisure, when by accident, in drawing out his handkerchief, he dropped Horace Walpole's letter on the brig's deck. Some one picked it up, opened and read its contents. It was merely a pass or protection, but it proved that the pretended sufferer for conscience had closer relations with the British Government than he had allowed to appear. Fierce faces scowled at him. It was proposed to send him on shore among the Rapparees of the Reeks, where his shrift would be a short one. He was attacked at last, and would have been killed, had he not snatched a brace of pistols and kept his assailants at bay, till a party of Sullivans, his own clansmen, who knew him, and stood by him for his birth's sake, interposed and carried him away. The Sullivans, he says, would not allow him to be hurt; but in their eyes, as well as in every man's, his coming to Kerry under false colours was painfully questionable. They put him on the road to Dublin, to which he professed to be going, restored to him his doubtful credentials, and left him to find his own way.

At Killarney he informs us that he injured a leg, and was unable to proceed. To lose no time, and to keep his word with Walpole, he wrote an account of what he had seen at Valencia and Port Maghee, addressed it to the Castle Secretary, and not liking to trust a packet of such dangerous import to the

ordinary 'carriers,' he gave it to a gentleman going to Tralee to post in the general office there.

Superfluous caution often creates the mischief which it seeks to avoid. The gentleman, whose name was Wall, suspecting that the letter contained something unusual, took the liberty of reading it. He too, like every one else in the county, was interested in keeping the smugglers undisturbed. Instead of taking it to Tralee, he carried it to the smugglers' agents in the town, and Sullivan was in a worse scrape than before. Copies of the letter were circulated about Killarney. The women howled at him as an informer. The boys threw stones at him if he showed in the street. One day a certain 'Pat Kelly' the schoolmaster, who was one of Donell Mahony's Fairies, fell upon him with a club, and meant to kill him. Providence, however, and his sacred blood once more stood his friend. Some ladies passing by, 'moved with compassion for one who was of antient and valuable extraction in the county,' begged the Fairy to spare him, and again he escaped with a beating.[1]

[1] Other accounts confirm Sullivan's account of the state of Killarney.

The O'Donoghue was Donell Mahony's son-in-law. Richard Hedges, writing in 1714 to Secretary Dawson, says, 'The Protestants in Killarney (besides those linked to the O'Donoghue) don't exceed a dozen. Four of them are in the county adjacent. The justices of the peace in these parts are Doctor Bland, Francis Brewster, and Wm. Griffin, Esq. Dr. Bland lives in a thatched house (a security for his good behaviour); Mr. Brewster in Glenflesk is neighbour to the O'Donoghue and their clan; Mr. Griffin is almost a single man, and often from home. These justices, as well as the other Protestants, are in terror of their persons. I'll give you two instances. Old O'Donoghue told Mr. Griffin to his face, that he hoped soon to see the time that he and his would pull out his throat, and often brags that he has 500 men at his command.

George Eager, having committed an affray in Killarney, was sent for by Dr. Bland and another justice, who, admonishing him for his breach of the law, he replied to the other justice that if 'twere not for the

BOOK III.

1728

Unable to leave Killarney from his lameness, Sullivan now applied for protection to the magistrates. He found the magistrates either unable to help him, or too much implicated with the smugglers themselves to be willing to interfere. So making the best of a bad matter, he pretended repentance, addressed himself to Pat Kelly, whom he offered to assist in his school, and being a Sullivan he was at last forgiven, and taken into partnership.

Killarney at this time was the Catholic University of Ireland. The law which forbade the Catholics to open schools was observed as little as the law for the expulsion of the regular clergy; but it was most conveniently defied in counties like Kerry, where law was in abeyance altogether, and Protestants and Catholics were combined, from reasons of their own, to manage the administration on independent principles.

There was a person holding an important office at this time in the neighbourhood of Killarney, who will be heard of again, a character who deserves the particular attention of the student of Irish history.

The Rev. Francis Lawder was Vicar General of

respect he had to some of the company, he would beat him with a great cudgel he brandished in his hand as long as his stick would last, and called him many opprobrious names.' *Mr. Eager was soon after made high constable.*—'R. Hedges to Secretary Dawson, August 14, 1714.' *MSS.* Dublin Castle.

In 1729, the year after Sullivan was in the town, Lord Fitzmaurice writes from Ross Castle :—

'The robberies that are daily committed in the neighbourhood of this place on persons of all ranks are so extravagant, that a man's entire substance shall be taken away in one night by persons that carry skenes and pocket pistols always about them. These persons are continually in riots, and frequently fire numbers of pistols in the night time in Killarney. But though I have heard this myself, yet I could not find a man that would help me to bring these lawless people to justice, they being all Papists that carry these weapons of offence, as well as those whose assistance I asked. All these persons are protected by different clans here.'—*Ibid.*

CHAP. II.

1728

the diocese of Limerick, and chief judge in the Bishop's Consistory Court. This gentleman had given the smuggling transactions his most careful attention. He was himself deeply concerned in the trade. He had studied the conditions under which it could be made to thrive in greatest security. According to Sullivan's story, he had not only winked at, but encouraged, the establishment of the Killarney Catholic schools, to prevent the intrusion of English ideas, and to strengthen the system under which the affairs of the county were carried on. The education being his peculiar province, his eye was soon drawn on Sullivan. He recognized him as a dangerous person of whom it was desirable to rid the neighbourhood, and was already casting about for means to dispose of him. Finding himself in the very hotbed of the contraband trade which he had come to Ireland to expose, Sullivan, notwithstanding his danger, seems to have determined to stick to Killarney, and to gain favour at the Castle by real service. It is hardly conceivable, notwithstanding the sore leg, that he could not have left it if he had wished. But his game was an extremely dangerous one. He was safe on one side by connecting himself with the Fairies; but the Vicar General was an antagonist of another creed. The Vicar General, who saw through him, could order his arrest as a teacher in a Catholic school. To meet attack on this side he presented himself in the parish church of Killarney as a convert from Popery, and was formally received into the Establishment. He was unaware as yet that the Vicar General and the Fairies were such close allies as he found them. Donell Mahony himself had become a nominal Protestant to qualify himself to hold the Shelburne lease.

BOOK III.

1728

Protestantism of this kind was understood and laughed at. But Sullivan was mistaken in supposing that his own conformity would be endured as easily. No sooner was it announced that he had changed his religion, than the rage of the town burst out again. Pat Kelly, his partner, waylaid him in the street with 'an unmerciful cutlass,' and threatened to run him through the body. He pretended that he dared not leave the town for fear he should be followed and killed. If he stayed he was like to fare no better. He did not venture a second appeal to the magistrates, for the magistrates, he had learnt already, were in league with the wool runners. To complete the absurdity of the picture, in the midst of all this lawlessness there was a garrison of soldiers at Ross Castle, not a mile distant from the town, under the command of Lord Fitzmaurice, the eldest son of the Earl of Kerry. To Lord Fitzmaurice, as his last chance, Sullivan now applied, and declared that he was in danger of his life from Pat Kelly and his cutlass. Fitzmaurice was one of the Protestants who, for 'the odd reasons' alluded to by the Castle Secretary, were not much to be relied on. He looked his visitor sternly in the face, and told him that 'Kerry did not love informers.' At last, with much difficulty, he issued a warrant for Kelly's arrest. The High Constable, Mr. George Eager (who had recommended himself for his office by threatening to break his cudgel on a magistrate's back in his own court) insisted that the warrant could not be executed. Mr. Donell Mahony appeared on the scene immediately after, with all Killarney howling at his back, and offered bail for Kelly, which Fitzmaurice at once accepted. The unfortunate Sullivan was turned out of Ross

CHAP. II.

1728

Castle among the mob, who received him with yells of spy and informer, hunted him to his house, and serenaded him from below his window 'with execrations and blasphemies against the Church of England and its ministers.' The blood of the O'Sullivans had so far saved him from the worst extremity. Now, however, he says it was decided that he must die. The execution of a descendant of a noble Irish house was only to be performed by a Milesian of equal rank; and MacCartymore, the landless chief of the Mac Carties, an outlaw given in his bankrupt condition to drink, already liable to hanging for other crimes, and to whom an extra sin would be of no consequence, was pitched upon to put him out of the world.

Either MacCarty could not be brought to the point, or Fitzmaurice gave the smugglers to understand that Sullivan, being an emissary of Government, they must stop short of extremities, and the idea of murder was postponed till other methods had first been tried. One night, when he was in his bed, Pat Kelly and the Fairies broke in, seized him, tied him hand and foot, and bore him off to a lonely house outside the town. His pocket book, with Walpole's pass in it, was taken from him; and the next morning he was carried before a bench of magistrates, consisting of the Rev. Francis Lawder, Sir Maurice Crosby of Ardfert, Lord Fitzmaurice's brother-in-law, and David Barry, seneschal of the Ross 'Manor Court.' Mr. Lawder took the charge of the case, and addressed the prisoner with meritorious frankness.

'You rogue,' he said; 'do you think to get justice against the county of Kerry gentlemen who are all of a knot, and baffle the very judges on the circuit? You are mistaken. Our words are taken by the

BOOK III. 1728

Government before the depositions of a thousand witnesses who have no friends to back them. I wonder you would be so mad as to enterprise the like affair! Were you not afraid to be knocked on the head? My friend, this is not France; this is Kerry, where we do as we please. We'll teach you some Kerry law, which is to give no right, and take no wrong.'

The offence alleged was that Sullivan was a returned convict. His identity with the transported schoolmaster was not denied, and the passport being safe in Pat Kelly's keeping, Lawder ironically asked him whether he had received permission to come back to Ireland. He pleaded that his papers had been stolen. The magistrates threatened to have him flung out of the window for insolence. The creature was not deficient in courage. Being in extremity, as he afterwards declared, and expecting no mercy, he turned on the Vicar General and asked him 'how it would be taken by the Government, if a clergyman and a magistrate was found to have employed a Rapparee to assault and kidnap a new convert who had just read his public recantation before the Rev. Mr. Bland, and the congregation.'

The Vicar General seemingly paid no attention, but wrote out his committal as a returned Papist, and passed him over to the constable to take to Tralee gaol. The magistrates, however, hesitated before completing so glaring a piece of impertinence. Sullivan was confined for a few days at a private house in Killarney, and was then turned out of doors, with the advice to leave Ireland as fast as he could, and a promise that, if he betrayed what had befallen him to the Government, he should be promptly killed.

CHAP. II.

1728

Being, as he said, 'invincibly persuaded' that this was true, he lay quiet in his lodging for two or three months. He was closely watched, but the evident tenderness for the Sullivan name and extraction again befriended him. He ventured gradually to show himself in the streets again, and at last reopened his school, where, having a reputation for learning, he gathered a knot of students about him; among others another young Connell of Iveragh, named Maurice.

Among these lads he contrived to ingratiate himself. Some of them were strangers from other parts of the country, unconnected with the Kerry faction, and valued Sullivan for the learning which he was really able to give them.[1] His classes were well filled, and the informer was forgotten in the professor; when the unlucky arrival in the town of a heavy cargo of smuggled brandy rekindled the smouldering exasperation. Once more he was waylaid, knocked down, and beaten. He escaped into his school-room, where the boys took his side, barricaded the door and windows, and beat off the mob who continued howling outside; when Fitzmaurice, resolved, once for all, to be rid of a nuisance which had grown intolerable, sent a warrant for his instant appearance at Ross Castle.

Sullivan says, that Fitzmaurice desired that he should be torn to pieces in the riot, under circumstances which could be represented as accidental. The suspicion was so far justified that no escort of

[1] A young McLaughlin, for instance, from Ardagh, co. Longford, who was examined afterwards at the Castle in connexion with Sullivan's story, said that, 'living in a place inconvenient to good teachers, and hearing a famous character of the teachers of Kerry, he had repaired to Killarney to the school of Sylvester O'Sullivan, professor of various sciences.'—*MSS.* Dublin Castle, 1728.

BOOK III. 1728

soldiers was sent to conduct him down. Fitzmaurice was disappointed however, if this was his object, by the fidelity of the students who attended their master as a bodyguard.

To expose the alleged occasion of a disturbance in the stocks, in the middle of the mob, would not have been considered, out of Ireland, a hopeful method of appeasing it. This, however, was the remedy which suggested itself to the Governor of Ross Castle. He sentenced Sullivan to sit in that position for two hours, in Killarney Market Place. 'Sullivan made his humble demonstration, that he was known to be descended from a noble, antient, and valuable family in the county.' The better the blood, in the opinion of Lord Fitzmaurice, the deeper the disgrace. The prisoner was taken back for the sentence to be executed —the stocks were prepared—'evil persons' were filling their pockets with stones, to make an end of him as soon as he was secured. Once more the faithful students came to the rescue. The stocks were upset and broken in pieces; Sullivan was hurried away in the dusk to some temporary hiding-place; and that night young Maurice Connell, a young Mc Laughlin of Ardagh, in Longford, and two other lads, conducted him, by byeways and paths, over the mountains out of Kerry; never leaving him till they had seen him safe in Dublin, when he told his singular story at the Castle.[1]

[1] 'Examination of Sylvester O'Sullivan, 1728.' *MSS.* Dublin Castle. Maurice Connell and McLaughlin were examined as well as O'Sullivan, and, so far as their knowledge went, his account is confirmed by theirs.

SECTION IV.

CHAP. II. 1728

On the most superficial insight into the condition of three out of the four provinces of Ireland, the contrast between the laws on the statute book and the living reality is more than grotesque. The Ireland of theory was law-ridden beyond any country in Europe. The Ireland of fact was without any law at all, save what was recognized by the habits of each district and county. The forms of English jurisdiction were admitted only when the chicanery of local attorneys could abuse them for Irish purposes. The Protestant magistrates, who were the nominal rulers over the Catholics, were as powerless as if they were dead, when they set themselves in opposition to Catholic prejudices. The Protestant gentry, clergymen as well as laymen, were rather driven to purchase toleration for themselves by adopting the manners of those among whom their lot was cast, than to stir sleeping dogs by struggling against the stream. The Castle government was best pleased when there was the least disturbance, and assumed that all was well when its composure was unruffled by complaints. Donell Mahony might rule in Kerry, or Martin of Ballinahinch in Connemara. The O'Donoghue might threaten one magistrate on the bench with a visit from five hundred Rapparees; the high-constable of Killarney might tell another, that he would have broken his staff on his head 'save out of respect for the rest of the company.' Such things might be, but the Government desired to hear as little as they might

BOOK III. 1728

of evidences of administrative weakness. Soldiers might be quartered a few roods off; but the soldiers were so ostentatiously indifferent, that they must have been ordered at all hazards to avoid unpleasant collisions. What could magistrates do so circumstanced, but, since they were forbidden to force the people to submit to the law, submit the law and ultimately their own manners, and sympathies, and characters to the ways of the people. A story, told by an informer like Sylvester O'Sullivan, would, by itself, have been an insufficient witness to the habits of the gentlemen of the south of Ireland. Another incident, almost exactly contemporary, a matter which became at last of international consequence, and was made the subject of judicial investigation, exhibits the country in the same aspect of lawlessness; and, one at least of the same parties—the Vicar General of the diocese—in a position which singularly confirms O'Sullivan's account of him.

Ballyhige House, or Castle, the seat of a younger branch of the family of Crosby, stands at the northern extremity of the Bay of Tralee. The sand and powdered shells, which form the bed of the Atlantic, are swept in by the eddying tides behind Kerry Head, and lie for miles as a fringe upon the shore. The shoals reach far to the sea, and the rollers with a north-west wind break over it in sheets of yellow foam. Blown sand heaps, covered with long pale grass, and burrowed by rabbits, divide the beach from the brown morass which stretches inland over the level plain. At the north end of the sands where the ground rises out of the bog is the castle, which was the scene of the following story:—

The Crosbies of Kerry were descended from John

CHAP. II.

1728

Crosbie, who in 1600 was made Bishop of Ardfert by Queen Elizabeth. The Bishop bought estates in the country, which his son increased by good management and a judicious alliance. Sir Thomas, his grandson, a staunch loyalist, was knighted by Ormond. He was twice married, and left behind him eight sons and one daughter. Daniel Crosbie, the eldest, inherited the family property at Ardfert. From him it passed to Sir Maurice, who married a Fitzmaurice, a daughter of Lord Kerry, and, at the time to which our story relates, was member for the county in the Irish Parliament. Sir Maurice, it will be remembered, was one of the magistrates before whom Sylvester O'Sullivan was brought at Killarney. Thomas Crosbie, Sir Maurice's uncle, the eldest son of Sir Thomas by his second marriage, succeeded to the estates at Ballyhige, which had belonged to his mother. Like the rest of the family he was a fierce High Churchman,[1] and sate with the Knight of Kerry for the borough of Dingle. He too had married into the peerage, his wife, Lady Margaret, being sister of the Earl of Barrymore.

Another Crosbie, a cousin William, was member for Ardfert. Arthur, a cousin also, was Commissioner of the Customs, and had a son who married a daughter of Lord Mornington, the Honorable Fanny Wesley or Wellesley.

The family, which was thus highly connected, became the actors in one of the most remarkable

[1] 'Those of the Old Church, which they call the High one, are in expectation that either Mr. Meredith, a very honest English gentleman, or Mr. Crosbie, of Ballyhige, are pricked as sheriffs by my Lord Chief Justice, because they were never yet sheriffs, and that they are High Churchmen to their hilts, and great champions for that cause in this county.'—'Maurice Hussey to Secretary Dawson, 1710.' *MSS.* Dublin Castle.

BOOK III. 1729

episodes of Irish history in the last century; and the story of it illustrates how much could be ventured with impunity in that country by persons who commanded so many votes in the Parliament.

Ballyhige was at this time a long straggling house, built low to avoid the storms, and thatched, which was a proof of confidence in the people, and a sign that the owner had no reason to fear incendiaries. On the east side was a large fruit and kitchen garden; on the west, attached by a wall to the main building, was a square stone fire-proof tower of unknown antiquity. Between the house and the sea there had been run up a set of cabins forming a court or quadrangle, and occupied by workmen; for Mr. Crosbie, being a man of enterprise, had erected a linen factory there, and was doing a thriving business, with a Scotchman named Dalrymple for a foreman. Behind the factory the ground sloped away to the sandhills, and thence to the shore.

It so happened that, in the autumn of the year 1728, a Danish East Indiaman, the Golden Lion, having on board twelve chests of silver bullion, which she was bringing home from the East, was driven by foul weather into the Bay of Tralee.[1] The wind falling round to the north-west, and blowing dead on the land, she was unable to extricate herself, and at five in the morning of the 28th of October she grounded, in the shallow water, half a mile from shore. She had eighty-eight men on board, and she carried twenty-two guns. When first seen the evening before the wreck, she had been taken for a privateer. Her character and

[1] Local tradition says that she was tempted in by false lights. The charge rose probably from the habits of a later generation, and is certainly unjust. In the contemporary depositions there is not a hint of anything of the kind.

the value of her cargo, however, were very soon known. As the tide went back a mob of wreckers and smugglers assembled, who, under pretence of giving help, would have soon disabled and overwhelmed the confined and half-drowning crew. But Mr. Crosbie turned out with his servants and workmen, drove away the people, assisted the captain and sailors to land with their bullion chests, and carried them into the shelter of Ballyhige. The ship was lost. All her company and everything of value which she had on board were saved.

The silver coined and in bars was worth nineteen or twenty thousand pounds.[1] Mr. Crosbie showed only the most honourable desire to preserve the property which had been recovered for its lawful owners. He deposited the chests in a cellar, gave the commander, Captain Heitmann, an acknowledgment for their delivery into his charge, and allowed the Danes themselves to keep guard on the place where the treasure was deposited.

The exposure on the morning of the wreck was unfortunately fatal to him. He caught a severe cold from standing in the water, and being an old man he died in a few weeks. A claim was put in for salvage by his executors, seemingly exaggerated, for in December an order was sent from Dublin Castle to the Tralee Custom House to protect the Danes from extortion; but, until the question was settled, they were not permitted to remove the treasure, and Captain Heitmann was made uneasy at the tone in which the subject was talked of in the county. Mr. Crosbie's funeral drew together a crowd from all

[1] The purchasing power of money being more than double what it is at present.

BOOK III. 1729

parts of the neighbourhood. The Irish were present there in overwhelming numbers, and their general tone was reckless and menacing. The rejection of the salvage claims had been resented in the household, and the servants' ideas on rights of property were evidently loose. The Captain at last asked Lady Margaret to make over to him the detached stone tower, in which he could lodge his seamen, and have the treasure with him under the same roof. Lady Margaret refused. She wanted one at least, she said, of the rooms in the tower for her own purposes. She permitted the chests, however, to be buried in the tower cellar in a position unknown to any one except her butler. The hole was filled in with broken glass and crockery, and earth was thrown over it. The greater number of the crew went away. Ten or twelve who remained were lodged in the tower garret, a sentinel was stationed at the door at the foot of the staircase, while Captain Heitmann himself continued Lady Margaret's guest in the castle itself.

The months passed on; spring followed winter. The salvage difficulty could not be settled, and the unusual presence in Kerry of so large a quantity of money, over the ownership of which meanwhile some uncertainty was supposed to hang, set the whole county in agitation.

The name of the Vicar-General of the diocese now re-appears. The Rev. Francis Lawder resided but a few miles from Ballyhige. Towards the middle of April, Mr. Lawder's steward was superintending a party of labourers, who were thrashing out corn, when a stranger entered the barn and whispered something to the steward, who went away with him. The same evening the steward told the labourers that there was

a plan on foot to carry off the Danes' treasure, and asked if they cared to take a part in it. The exploit was tempting; but whether it might be safely ventured depended on the opinion of the county. If all ranks were implicated, none would be punished; a small party would be discovered and hanged. They asked whether the gentry approved. The steward answered that all the gentry had consented, except the Earl of Kerry, who had not been consulted. They had promised either to be present themselves, or else to send their servants. CHAP. II. 1729

To men to whom smuggling had become a second nature, chests of bullion recovered out of the sea had lost the character of private property; and the hesitation in paying the Crosbies' salvage claims removed the scruples of the waverers. What, however, did Lady Margaret think about it? Lady Margaret was the great person of the neighbourhood. Lady Margaret's supposed rights were the legal groundwork of the proceeding, and, without her leave, the lowest Rapparee would not stir. The Ballyhige butler, Mr. Banner, was taken into council. Banner was instructed to inform his mistress that, if she would give the word, the thing should be done, and a third or half the spoil should be her ladyship's share. Lady Margaret was neither better nor worse than other ladies and gentlemen in the county; she could not live in an atmosphere of lawlessness without contracting something of the same temperament. Had she spoken her real thoughts she would have answered like young Pompey—

> This thou shouldst have done,
> And not have spoke on't. Being done unknown,
> I should have found it afterwards well done,
> But must condemn it now.

BOOK III. 1729

When the butler delivered his message, she affected great displeasure. She would not hear of it, she said. She would rather lose her own life than allow the Danes to be robbed under her roof. She spoke decisively, yet something in her manner indicated a less fixed resolution. The butler inferred that, so long as she was not herself compromised, she would not be unforgiving. The report which he carried back was sufficient. The plot gathered shape, stole into the general air, and was whispered in hall and cabin. The steward, who was a practised hand, and knew that in such matters there was nothing more dangerous than delay, collected, as he considered, a sufficient force on the spot, and one midnight, with forty men with blacked faces, and armed with guns and pickaxes, he stole up through the sandhills, and sent a boy into the house to tell the butler that the people were come.

It happened that Mr. Arthur Crosbie, Lady Margaret's nephew, was that night a guest at Ballyhige. Mr. Arthur was clerk of the Crown for the county, and might be held exceptionally responsible. He must, of course, have been taken generally into confidence, and have given a general approval, but he was unprepared for such sudden action. The butler ran to his room and woke him. He said, 'he would not for any consideration the thing should be done while he was in the house; as soon as he was gone he did not care what they did.' The butler with much difficulty persuaded the gang to withdraw for that night and to wait for another opportunity. Arthur Crosbie departed, but it seemed now as if Lady Margaret's own mind misgave her. Eager conspirators continued to flit about the house and gossip

with the servants. The Vicar-General's men were in haste to be at work. The Ballyhige house steward assured Lady Margaret from him that she should have her part secured, and it would be more than she would get from the Danes. He told her that the attempt would certainly be made, indeed had all but been made already.

Lady Margaret still wavered. 'She seemed to abhor the thought of it,' or it might be that she only abhorred the officiousness which thrust an unwelcome privity upon her. She desired and did not desire; approved and disapproved. She, perhaps, wished to escape the temptation, and, by an effort of honesty, to place the prize out of her reach. A day or two after the first attempt she sent for one of the Danish officers, called him into a private room, and told him that the treasure was in danger. She bade him ask Captain Heitmann if he was satisfied with the place in which it was bestowed, and she offered, if he preferred it, to keep the chests in her own bedroom. Captain Heitmann said that the dwelling-house being thatched, and therefore liable to be fired, he thought they were safer in the tower. The officer carried back the answer. Lady Margaret gave so odd a smile that he was led to ask, how she knew that there were ill designs on foot. In his own country, he said, persons revealing intended crimes were brought before a magistrate, and examined upon oath. If she had serious grounds for suspicion there ought to be a similar enquiry.

Lady Margaret said that this was not the custom in Ireland. Information might be given privately, but gentlemen did not like their names to be made public. In fact, she could say no more, but she

BOOK III.

1729

desired to let him understand generally that mischief was in the wind.

The Danes knew not what to make of information so ambiguously given. They were strangers; most of them understood no language but their own: one or two spoke English imperfectly, and Irish not at all.[1] But they naturally assumed, that in the English dominions, and under the English Flag, they were in a country which respected the first principles of law. Similar warnings continued to reach them: the butler's wife told them one day they ought to be much obliged to her husband; half a hundred villains had come to the house one night, to make away with them, and, but for Mr. Banner, they would have been all murdered, and the treasure taken away. She too perhaps, like her mistress, wished them to take precautions which should make the robbery impossible; but they only laughed at her. In the house of the sister of a peer and the widow of a member of Parliament, they refused to believe that they could be really in danger. She left them, they said afterwards, 'very angry.'

The affair was by this time whispered over the whole country side, and, among others, reached the ears of Mr. Collis, the vicar of Tralee. Mr. Collis had not perhaps been long enough in Kerry to outgrow his prejudices. He was stopped on a Sunday afternoon in the middle of May, by one of his parishioners, who said that he desired to consult him. The twelve chests of silver at Ballyhige were about to be carried off and divided: Lady Margaret was to have four of them; four were for the gentlemen of the county; the four remaining were to be

[1] The captain's deposition is in Latin.

shared among the party who were to execute the robbery. He had himself, he said, been invited to join, and he wished to know whether it was robbery in the real sense of the word, and whether it was an act which the vicar would approve. Collis, astonished and shocked, told him that it was a monstrous piece of wickedness, and that, at all hazards, it must be prevented. He was unable to conceive that a person in Lady Margaret's position could herself be an accomplice; and not being himself acquainted with her, he desired a gentleman of Tralee, whom he knew to visit at Ballyhige, to let her know what was going on. The gentleman promised to tell her, but he understood Kerry better than the vicar of Tralee, and put it off from day to day. Collis himself at last rode over to Ballyhige, had an interview with Lady Margaret, and told her frankly that officious friends of her own, under pretence of doing her the justice which the Danes refused, were about to commit a frightful crime in her supposed interest.

Lady Margaret was polite but unsatisfactory. She expressed 'a great dislike' to the idea, but had evidently not realized the criminality of it. She said that she would speak to Captain Heitmann, and that the chests should be removed to her own room. It would have been more to the purpose if she had proposed to send them to the gaol or barracks at Tralee. Collis left Ballyhige with more misgivings than he had brought with him. He endeavoured to impress upon her before he went, that, besides robbing, there would be bloodshed and probably murder; and he seriously entreated her to forbid an act, which a word from her, spoken decidedly, would certainly prevent. Lady Margaret's conscience was again moved. She

BOOK III. 1729

sent once more for the officer to whom she had spoken before. Her present informant she was able to name. Mr. Collis of Tralee, she said, had told her that a robbery would certainly be attempted. A second time she suggested that the chests should be removed to the dwelling-house and placed under her personal charge.

Her object probably was less to prevent the robbery than to prevent a collision between the Danes and the Vicar-General's gang. The officer was still incredulous, that an act of open violence would be ventured upon strangers in the house of a gentleman of fortune, full of servants, with a linen factory swarming with workmen not a hundred yards distant. He was perhaps less satisfied that, if the chests were transferred from their present position, they might not mysteriously disappear. He declined to let them be removed. He took the precautions of placing a second sentinel at the turret door during the night. He again begged Lady Margaret to let the Danes have the turret to themselves, and asked that some of his own ship's muskets, which were in the castle, with ball and powder, might be served out to his men. The first request Lady Margaret declined; it would be inconvenient, she said, and she could not allow it. After some delay, eight or ten muskets were sent over and some balls, but, under one pretext or another, no powder was sent with them.

Even yet the unfortunate Danes were not seriously alarmed. The officers and seven sailors slept in the upper rooms in the turret. One of the servants occupied the apartment on the ground-floor, so that they were unable to barricade the door. They kept careful watch, however; and Captain Heitmann had

CHAP. II.

1729

so far seen no reason to move his quarters from the dwelling-house and remain with his men.

Lady Margaret meanwhile had given her definite consent, and in keeping back the powder, she trusted that she had taken sufficient precautions to prevent bloodshed. Everybody in the house was now in the secret. Mr. Thomas Hassett[1] came to stay at Ballyhige with a number of servants. They were all taken into confidence. Several other gentlemen's servants were in attendance; their presence was the price they were made to pay for their share of the booty. The preparations were made with the utmost deliberation. A sloop was brought round into the bay to be at hand in case of sudden danger. The house steward sent the wheel-barrows and truckles, which were in the yard, to be repaired, that they might be in condition to bear a heavy load. Mr. Lawder's servants put in readiness his horses and carts. The night of the fourth of June was fixed on for the attack. The gang were to come up as before from the sea, through the sand-hills. The servants undertook that they should find all gates and doors unlocked.

No fresh warning was allowed to the Danes. The officer in the turret had gone to bed, and was asleep. He was awoke at midnight by a sound of shots. A moment after one of his men was at his bedside, wounded and bleeding. The two sentries had been suddenly fired on, and had both been killed. Peterson, the wounded man, who had been with them, had dragged himself up the stairs, securing behind him the door which divided the upper and lower stories. The officer sprung up and flew with the rest to the leads. He saw the court below swarm-

[1] Perhaps Benner or Blennerhassett.

BOOK III. 1729

ing with armed men, with guns and torches. By the flaming light he recognized one of the Crosbie family, and more than one of the household. The Danes had but a pair of pistols and one gun with them, and no ammunition for a second charge. To fire would be to throw away their lives uselessly, so they remained behind the parapets, watching the robbers' proceedings.

Captain Heitmann, in the dwelling-house, had in a like manner been roused by the uproar. He too had darted out of bed, and had run down to the hall, where he found the family assembled. He went to the door to open it. Lady Margaret threw herself in his way, and implored him not to stir as he would be killed. He asked if she would not send some one down to rouse the factory hands. She said it was impossible. In fact they were already roused, and were at work in the court with the rest. He appealed to the servants. No one stirred. He appealed to Mr. Hassett. Mr. Hassett sate still and made no reply. If he went out alone, he feared they would lock the door behind him, and leave him to be murdered. He flung himself, in despair, upon a bench, and sate helplessly listening to the yells and cries in the court.

The turret door meanwhile was wide open; the cellar floor was torn up; the earth and broken bottles were cleared away, and the twelve chests were lifted out to be distributed, according to the arrangement. Beforehand the division had appeared easy. Lady Margaret was to have a third, the gentlemen a third, and the robbers a third; but the question now rose, who were the gentlemen, and who were the robbers? Were the Ballyhige servants

to be paid out of their mistress's share, or out of the share of the Vicar-General's gang? The butler, the footman, the coachman, a young David Crosbie, the Scotch factory foreman, and six or seven others, all insisted that they had borne their part in the robbery, and were entitled to their part of the robbers' portion; at last they laid hold on six of the chests, and tried to carry them off. A fight began, which, had there been time to finish it, would have diminished the number of the claimants; but the grey June morning was already breaking, and for Lady Margaret's sake it was essential to prevent daylight from overtaking them before they had finished their work. Half by force, a rough partition was effected: the Ballyhige party secured what they had seized; Lady Margaret's four chests were buried in the garden; two were broken up and the contents rudely divided; and the Dolphin sloop sailed in the morning, with young David Crosbie and several others, who had staggered down to the shore loaded with money bags. The six remaining chests were taken off in carts to the Vicar-General's barn. One cart broke down on the way. There was no time to repair it: the chest was opened by the roadside, and 'the scum,' as the rank and file of the gang were called, received their wages in handfuls of silver. Mr. Lawder's proctor had marked three, which he intended to secrete; perhaps for private and careful distribution at leisure; but the other parties interested were impatient or suspicious. Mr. Arthur Crosbie's steward came over a day or two after to enquire after the gentlemen's shares, and intimated 'that it would be worse for those concerned, if they were not sent.' Servants came on horseback,

BOOK III.

1729

who filled their hats and their pockets; and thus, in a short time, the whole disappeared.

The strangest part of the story has now to be told. Even in Kerry it was not expected that an exploit of this kind could be passed over without a show of enquiry. The day after the robbery, Lady Margaret sent word to Mr. Chester, chief collector of the revenue, that her house had been broken into and the Danish silver stolen. Her son and her servants, she said, had attempted to trace the perpetrators, but had failed in discovering them.

The son, who was a mere lad, was not likely to discover them. Lady Margaret, perhaps, hoped that the excuse would be accepted, but the affair had been on too large a scale. The leading magistrates in the county were, Sir Maurice Crosbie, county member and high sheriff; William Crosbie, member for Ardfert; Mr. Blennerhassett, Edmund Denny, and the Knight of Kerry. Mr. Blennerhassett, if not related to the Hassett who was an accomplice, certainly assisted afterwards in suppressing investigation. The Crosbies' first duty was to their own family. The Knight had too many transactions of his own with the smugglers to be able to exert himself if he had wished. Mr. Denny could not act alone in a matter which might bring him in deadly feud with his neighbours. The robbery was on the night of the 4th of June. A week passed. No arrests had been made, and no steps taken. On the 15th there came a sharp reprimand from Dublin from Mr. Lingen, the first commissioner of the Customs. The Government, Mr. Lingen said, were at a loss to understand such extraordinary remissness in an affair of so much consequence. The magistrates were commanded to

exert themselves instantly to recover the money, and 'prevent the damage which would otherwise fall on the inhabitants of the neighbourhood.' CHAP. II. 1729

For decency's sake it was necessary to do something, but something which should furnish no clue to the real perpetrators. A notorious smuggler named Anderson, who had not been concerned, was taken up, and sent to Dublin to be examined. Anderson pleaded his own innocence, and of course there was no evidence against him. He could not call himself wholly ignorant of what everyone knew; but when pressed by Sir Edward Southwell, the principal secretary, for the names of the parties guilty, he said, that he could mention no one in particular 'unless he named the whole commonalty on that side of the county of Kerry.'

If the commonalty were all implicated there was, at least, the Earl of Kerry, the lord lieutenant of the county. Carteret, the then viceroy, was in England. The Lords Justices, Archbishop Boulter, and the Speaker, Conolly, wrote in real indignation to require the Earl to bring the offenders to justice, and compel them to restore their plunder. Lord Kerry himself promised to do his best. His own hands were clean, and, for himself, he had nothing to conceal; but he acknowledged, frankly, that there would be great difficulty. He could expect no help from the magistrates. The money, he feared, was beyond recovery.

His son, Lord Fitzmaurice, if his behaviour at Killarney was a specimen of his general conduct, was probably less scrupulous than his father. On Lord Fitzmaurice and the Earl, however, the responsibility was now thrown so seriously that they could not evade it. The steward and the butler at Ballyhige were

BOOK III. 1729

arrested, threatened with the gallows, and frightened into full confessions; but, the more they confessed, the more perplexing the situation became. The first families in the county; high officials in Church and state; members of Parliament who had votes, and who required to be conciliated; the Earl of Kerry's own kindred, for Sir Maurice Crosbie was his son-in-law; the whole county side, as Anderson truly said, were implicated. There was no longer a difficulty in getting at the truth. Captain Heitmann and his officers gave their evidence. The Ballyhige servants made a clean breast of it. The Vicar-General's servants seeing concealment useless, were as plainspoken as the rest. Mr. Collis, of Tralee, deposed to his conversation with Lady Margaret. The depositions were sent to the Castle, and Lingen returned Lord Kerry his hearty thanks 'for having unravelled such an enormous piece of villany, which was now set in the truest light.'

But the difficulty now was the truth itself. There had not been robbery only, but murder, and murder of a dastardly kind—murder of two shipwrecked foreign seamen—in violation of the sacred rights of hospitality. Yet no one, high or low, seemed aware of its wickedness. The origin of the crime was the utter demoralization of the gentry of an entire Irish county. Those who, by the constitution, were the natural governors of the people, were their leaders in depravity. They, if any, ought to have been selected for punishment.

The public trial and execution of an earl's sister, a vicar-general of the Irish Establishment, and a member or two of the Irish Legislature, would have been an example that would have lifted forward the civilization of Kerry by three-quarters of a century.

CHAP. II.

1729

But the days of George the Second and Sir Robert Walpole were not the days of Cromwell. The judges came to Tralee on their summer circuit, and the assizes were opened at Tralee. One or two of the gang were tried and sentenced; but the Earl of Kerry pleaded justly, 'that it would be small service to the county to let the poor rogues be hanged, while the principals escaped.' The judges shared Lord Kerry's opinion, or, when they came into the county, they assumed the habits of thought which prevailed there. If no one was to be punished, an effort might at least be made to recover the plunder. Here the apathetic magistrates affected a real zeal, and gave the concluding touch of the grotesqueness of the picture. Since they were not wanted for the gallows, there could be no longer a reason for detaining the prisoners. The Knight of Kerry had written generally to Mr. Lingen, that he knew of persons who, if assured of pardon, would assist in discovering the money. Lingen replied with general encouragement; and under the shelter of Lingen's letter, and pretending to be acting by order of the Government—the Knight, Sir Maurice Crosbie, Mr. Blennerhassett, and two other magistrates—signed an order to the governor of Tralee gaol to release the Vicar-General's servants, the most prominent of the actual perpetrators of the crime; and to two of these persons—one of them the steward who had planned the robbery and divided the plunder, they committed the recovery of it from the hands of those among whom it had been distributed. No choice could have been better if there had been a real desire to find the money, but the object was merely to turn ridicule on the whole affair. The released prisoners strutted about the county showing their commissions amidst universal amusement,

BOOK III. 1729

saying openly, that if the thing had been still to do they would do it again, and parading the protections which they professed to have received from the Castle.

If the most notorious villains were selected for special favour, those who had promoted the investigation became naturally alarmed for themselves. The Earl of Kerry wrote to the Castle, that he expected nightly to have his house burnt over his head. On his own authority he re-arrested the two scoundrels who had been thus ridiculously pardoned. Lingen wrote in towering indignation to the Knight. The Kerry gentry should not be allowed to carry matters with so insolent a hand. For decency's sake they were forced to undertake an appearance of a real search for the money, and hopes were held out from time to time that the greater part would soon be collected.

Unfortunately for the Irish Administration there was a party in the case which declined to be satisfied with mere restitution. Two Danish subjects had been killed, and a third wounded. The Copenhagen Government, when Captain Heitmann's report reached them, insisted not only that the stolen silver should be restored, but that the guilty persons should be brought to justice. Walpole felt or affected a proper displeasure. He admitted that England's honour was concerned in punishing crime, and gave Carteret orders to prosecute. He discovered that a mode of administering justice, which may answer well among a people who have a natural love for right and abhorrence of wrong, is the worst gift which can be bestowed on those who do not know what justice means. Carteret set in motion the usual machinery. A hundred obstructions were at once flung in the way. Arthur Crosbie, the clerk of the Crown, was at last actually tried in Dublin. The Danes remained in Ire-

land to give evidence. The confessions of the Ballyhige servants proved as plainly as possible that he knew what was about to be done, and that neither by word nor deed had he attempted to prevent it. Yet the judge summed up in favour of the prisoner, and the jury acquitted him. Captain Heitmann complained indignantly 'that the judges were in a conspiracy to suppress the enquiry;' that 'they showed partiality to shield the Crosbies.' The judges answered, 'that Mr. Arthur Crosbie was acquitted for want of such proof as was according to law,' and affected to feel injured and insulted by the suspicion of favouritism. CHAP. II. 1729

The robbery had been committed in 1729. In 1731 Carteret retired from the viceroyalty, and as yet there had been no redress. The Kerry magistrates pretended that 9,000 pounds worth of bullion had been found, and that they were ready to account for it; but three more years went by; the Danes had lingered on, besieging the Castle with their complaints, yet the Irish disliked 'paying back' as heartily as Falstaff. They had so far not received an ounce of it. 'During all this time,' wrote the Duke of Newcastle in 1734 to Carteret's successor (the Duke of Dorset), 'the master and sailors of the Golden Lion have not been able to obtain satisfaction for their loss, nor restitution of the money and plate which were recovered from the persons concerned.'[1]

Dorset was as powerless as Carteret had been. He could but act by forms of law, and law in Ireland was organized iniquity. Again there was a delay of two years, and in January, 1736, the Danish minister in London laid his last remonstrance before Newcastle and the English Cabinet.

[1] 'Newcastle to the Duke of Dorset, July 17, 1734.' *MSS.* Record Office.

BOOK III. 1736

'In an affair so odious,' he said, 'every trick and stratagem has been employed to screen parties who are notoriously guilty from the punishment which they have deserved. The chief authors and accomplices of this infamous conspiracy are as well known to your Grace and to the Lords of the Council as to the whole of Ireland. Your Grace has many times expressed to me your indignation at the manner in which the Danish Company has been dealt with in that country throughout the whole affair. His Majesty, my sovereign, instructs me now to say to you, that if justice is longer refused, the Danish consul will be recalled from Dublin; and if any British vessels are so unfortunate as to be cast away hereafter on the coast of Denmark, the Irish Administration will be responsible for any misfortune which may overtake them.'[1]

With this letter the curtain drops on the scene. Whether the Danes went back empty-handed to their own country, forming their own reflections on the English method of civilizing Ireland, or whether the Kerry gentlemen at length unwillingly relaxed their clutch upon their prey, no evidence has as yet been discovered to show.'[2]

[1] 'The Danish Minister to the Duke of Newcastle, January 3, 1736.' *MSS. Ireland.* Record Office.

[2] For the story of the Danish treasure see the Irish *MSS.* in the Record Office, from November 23, 1730, to January 3, 1736, and the depositions of the prisoners, the correspondence between the Castle and the Earl of Kerry, the evidence of Mr. Collis of Tralee, and of the Danish officers and seamen, the letters of the judges and of the Duke of Newcastle, among the *MSS.* in the tower at Dublin. It is to be observed that the story is not mentioned in Smith's *Antiquities of Kerry*, although that book was written almost immediately after, and contains a minute and complimentary account of the Crosbie family.

BOOK IV.

CHAPTER I.

EFFORTS OF THE IRISH PARLIAMENT.

SECTION I.

CHAP. I.

1720

At that still far distant period when religious and political passion will allow a hearing to historical truth, the merits of the small section of resident Anglo-Irish gentlemen who, under their heavy disadvantages, refused to despair of their country, will not fail of honourable recognition. Wherever the traveller through Ireland discovers, in the midst of the wilderness, the exceptional signs of cultivation long continued—where the fields are cleared of rocks and drained and fenced, where green meadows contrast with the usual brown, where the hill-sides are clothed with thriving plantations, and the farm-buildings are of stone, and the clothes of the human inhabitants show signs of being washed and mended—there, he may assure himself, are the hoof-prints of some English family which has stood to its post through many generations. An English colonist has resided there, and his sons, and his sons' sons, after him; and, to the best of their ability, they have done their duty to the land and the people. Even among the colonists however the immense majority fell off into recklessness and

BOOK IV.

1720

waste. The peasantry took to whiskey-drinking and Whiteboyism. The squire and the squireen raced, betted, smuggled, fought, ravished, drowned themselves and their fortunes in claret, debt, and prodigality. Of those who lacked backbone to swim against the stream, but who were unable, in such an atmosphere, to find satisfaction for their ambition or their conscience, the larger number deserted their posts, and disowned all connexion with Ireland, save in the due exaction of their rents. A few fought bravely on, striving still, under hard conditions, to lift their country out of the slough, and imitate, so far as England would allow them, the forethought and industry which gave her strength to their jealous mistress.

In the first rank of this honourable body stood Swift, the Dean of St. Patrick's. It could hardly be said of Swift that he had chosen to remain in Ireland, for he too, had the chance been allowed him, would have preferred an English rectory to the metropolitan cathedral of the miserable land of his birth. But, as fate had cast him there, and disdaining the tricks by which he might have flattered his way, even under Walpole and the House of Hanover, into the high places in the Church, he became, in the best and noblest sense, an Irish patriot.

Perverse as Swift was, and worse than perverse in his hatred of the Presbyterians, it was the single crack in the clear granite of his intellect. Fettered with restrictions, robbed of her markets, blockaded round with prohibitions, he saw that, if her people were worthy of her, Ireland might still be sufficient for herself, and, out of her own resources, might develop her own industry. England might lay a veto on every healthy effort of Parliamentary legislation;

but England could not touch the self-made laws which the conscience and spirit of the nation might impose upon themselves. By their own energy the Irish might still, if they chose, rise superior to their miseries, and, by their success, inflict the bitterest humiliation on their tyrant. England might close their ports, reject their tillage bills, discourage the legislative efforts for the better management of their lands; but she could not prevent them from ploughing their own fields, wearing their own frieze jerkins, and buying and selling among themselves. Excluded through his Tory connexions from all share of public business, after years of silence and personal study of the country,[1] the Dean, on the second rejection of the Tillage Bill, broke from his retirement, and shook the Council and the Castle secretaries with a pamphlet which no hand but his could have written.

'Agriculture,' he said, 'the principal care of all wise nations, and for the encouragement of which there were so many statute laws in England, was in Ireland so well countenanced, that the landlords prohibited their tenants from ploughing by penal clauses.'[2] 'The wealth of a country was in the people whom it could raise.' 'The politic gentlemen of Ireland' 'depopulated' their estates 'for the feeding of sheep.' By England the Irish were looked on 'as if they were one of their colonies of outcasts in America.' 'Pallas, defeated in spinning by Arachne, had turned her rival into a spider. Ireland had been

[1] It is sometimes said that Swift had little knowledge of Ireland, and never travelled there save between Laracor and Dublin. A moderately careful examination of his writings shows that, at least with Leinster and Munster, he was intimately acquainted.

[2] It will be remembered that the object of the bill which England so long refused to sanction was to make these clauses illegal.

BOOK IV. 1720

dealt with yet more hardly, 'for her bowels and vitals were extracted, without allowing her even to spin and weave them.' 'Oppression,' it was said, 'made a wise man mad. The reason,' he supposed, 'why Irishmen were not mad, was because they were not wise.' 'It was to be wished, then, that oppression might teach wisdom to fools.' If Irishmen would resolve that bare Irish backs should be clothed only with Irish broadcloth, frieze, or linen; that Irish houses should be furnished with Irish stuffs and carpets, and Irish stomachs fed with home-grown corn, and ale, and milk, the money that went abroad for silks and velvets, and claret and brandy, and the other idle luxuries of ladies and gentlemen, would set the Irish looms at work again, and supply work yet for every idle hand. The late Archbishop of Tuam, Dr. Vesey, had remarked that Ireland would never be happy till a law was made for burning everything that came from England except the people and the coals. Swift acknowledged a strong sympathy with the Archbishop's sentiment. He urged the Irish Lords and Commons, though they could pass no Act of Parliament to such effect, yet to vote a unanimous resolution that no cloth or stuff should be used in any of their families which was not of Irish manufacture, and, setting the example themselves, stigmatize every Irishman as an enemy of his country who refused to follow it. The clergy, he said, must preach it from their pulpits. The entire nation must act upon it. One and all, 'they must agree never to appear in public wearing any single thread that came from England, till even an English staylace was thought scandalous, and a common topic for censure at tea tables.'[1]

[1] 'Proposal for the Universal Use of Irish Manufactures,' *Swift's Works*, vol. vii.

1720

The pamphlet was anonymous, but, containing genuine fire, and the combustible matter lying thick and ready to kindle, it produced a sensation so considerable, that the Government was rash enough to order a prosecution. The author being unknown, the printer was tried for propagating sedition ; and Chief Justice Whitshed, in charging the jury, laid his hand upon his breast, and swore that the object of the publication was to bring in the Pretender. This time Irish proclivities were on the side of equity and good sense. Nine times the jury returned a verdict of 'Not Guilty;' nine times they were sent back to reconsider themselves. Worn out at length, they gave a neutral verdict, leaving the printer to the judge. But the judge, on such a doubtful answer, did not venture to pass a sentence. A second trial was intended; but wiser counsels prevailed in time to prevent another defeat, and the prosecution was dropped.

Swift meanwhile, having drawn the sword, did not mean again to sheathe it while strength and mind remained. The Drapier letters and the Copper swindle will have a section to themselves. Besides these, before and after them, he poured out tract on tract denouncing Irish misgovernment, each one of which was composed with supreme literary power, a just and burning indignation shining through the most finished irony, and played like a flash of forked lightning round the exasperated Castle politicians. In these tracts, in colours which will never fade, lies the picture of Ireland, as England, half in ignorance, half in wilful despair of her amendment, had willed that she should be. Three parts in four of the land were owned by absentees whose tenants had once been kindly dealt with, but were then ground by agents who were as hard as

BOOK IV.

1720

the most brutal resident squireen; the manufactures were destroyed; the plough was driven from the fallows; the splendid timber, which a century previously had clothed plain and mountain, was swept away, was rotting in the bogs, or built into ships for strangers; without liberty, without trade, half the profits of such wretched culture as remained were sent out of the country and spent in England; industry was paralyzed by a million discouragements, and the population was starving in unwilling wretchedness on a soil which, fairly treated, would support twice the number in comfort and abundance. Such was Ireland, as Swift traced it on his canvas. If she flourished, she must flourish, he said, like the Glastonbury thorn, which bloomed in midwinter. The landlords' rents were squeezed out of the blood, vitals, clothes, and dwellings of the peasants, who lived worse than English beggars; and their rulers, like Pharaoh, called them idle, and set them to make bricks without straw. In one singular paper, the most bitterly sarcastic perhaps ever written by man, he proposed, as a means of saving the children of the poor from being a burden on their parents, and of utilizing them for the public good, that at a year old they should be cooked and eaten, dwelling with prolonged refinement on the care which would then be taken to feed and fatten them, and the variety of dishes which could be composed out of their carcases. There were few solvents which would bring Swift into the melting mood. But overcome, for once, by the piteousness of his own conception, he said he could pursue his irony no longer; and, falling back into seriousness, he again insisted on the only remedy which was left within Ireland's reach. Flanders laces, English cloth, Lyons silks, teas, coffees, choco-

lates, profusion of wines—these were no fit things for a country which was steeped in desolation. She was undone first by England, but next by her own pride and folly. If the landlord would plough, drain, plant, build schools, encourage home production and home consumption, discard every imported article not necessary for health, and live as if the island had a wall of brass about it, Ireland might defy her enemies still, and rise out of her ashes.[1]

Swift wrote as if he thought, like Elijah, that there was none left in Ireland but himself to speak the truth; but, as with the Hebrew prophet, more of his countrymen than he knew of were thinking the same thoughts, and, so far as their power extended, were doing the things which he bade them do. England closed the door against legislative remedies; but, soon after the Dean's tracts were published, there appeared a series of 'Resolutions proper for the Gentlemen of Ireland,' which expressed rather the united purpose of many than the personal conviction of a single thinker.[2] 'We will live at home,' the Irish gentry were invited to say, 'we will build houses, drain, plough, and plant, and sow our estates with inhabitants. We will watch over our people—[wonderful that it should be necessary to avow such a determination, yet it is as much forgotten now as it was then]—we will watch over our people 'as much as over our horses, bullocks, and sheep.' 'So shall we keep at home the swarms that now go to the West Indies, valued, like negroes, at thirty shillings a head.' We will no more rack our fields and waste our substance.

[1] 'Miscellaneous Tracts on the State of Ireland,' *Swift's Works*, vol. vii.

[2] *Reflexions and Resolutions proper for the Gentlemen of Ireland.* Dublin, 1738.

BOOK IV.

1738

We will be thrifty and prudent. 'We will,' adopting Swift's proposal, 'use no sort of clothes or furniture not of Irish manufacture; and whereas several hundred thousand of our fellow-creatures in this island get their bread—or would, if we would let them—by spinning, weaving, and dyeing, we will come into no iniquitous fashions to beggar or starve them.[1] Every sixpence spent in foreign goods is robbed from our people, and is bread taken from their hungry mouths.[2] We will set ourselves against the smuggling. This infamous trade is a nursery for idlers, thieves, rebels, and vagabonds. It ruins the fair trader, and breaks the natural compact between the merchant and the nation.[3] We will educate our children, laying up in their minds the great principles of truth and honour, virtue and wisdom, love of country, and love of God and of our holy religion. We will put away these great stocks of cattle. We will cultivate our soil, and employ our people, and raise ourselves above the hazard which for ever hangs

[1] The male portion of the upper classes had resolution enough for a time really to wear nothing but Irish manufacture. 'The gentlemen of Ireland,' says this writer, in another part of his book, 'except some very fine gentlemen indeed, have shown their humanity and good sense in this particular. Our broadcloths have not the beauty and fineness with which they are made up in England, but we think ourselves sufficiently fine in our own feathers. If anything could lessen the charm of our Irish ladies 'tis to see them dressed out in the spoils and pillage of their country, and riding, like barbarous conquerors, great by the murder of half a nation.'

[2] Bad political economy, but true nevertheless; the foreign goods, it may be urged, unless paid for in gold, of which there was none in Ireland, must have been exchanged for something else, either grown or manufactured there. But, in fact, the French silks and clarets were paid for by the smuggled wool, which, being raised on sheep's backs, gave no employment to the poor, and brought a profit only to the rich.

[3] The writer mentions a curious fact as to the profits of smuggling. 'In England,' he says, 'the common wages for a smuggler is a guinea a day, by which means the farmers on the coast can hardly get in their harvests.'

over us of famine.[1] Finally, in spite of all that we have suffered, we will be English; we will stand by England and the English interest; and we will hope that England will at last look favourably on us, and in time admit us to a union.'[2]

In the same strain followed Berkeley, raised, in due time, to his natural place on the Irish bench as Bishop of Cloyne. Berkeley, who, while his promotion lingered, had been in the West Indies, and had visited France and Italy with Lord Peterborough, brought with him a more instructed insight than was possible to his untravelled countrymen. He could believe that there were ills in the world which arose from other roots than Popery. He insisted—no one insisted more emphatically—that Romish priests, if they remained in Ireland, must give securities for their allegiance, and abjure the temporal authority of the Pope; but he was not afraid to acknowledge that they had won their influence fairly, by zeal and industry, nor to invite them to use it to rouse their flocks out of their sloth and filthiness. He had seen Flanders, and Piedmont, and Lombardy, all Popish countries, cultivated like gardens. In Turin idleness was a crime, and 'to give charity to a strolling beggar was penal.' Berkeley urged the priests—the words sound like mockery, but they represented a real fact—'in return for the lenity and indulgence of the Government,' to make themselves really useful to their countrymen, and endeavour to

[1] The writer justly insisted on the enormously improvable character which Ireland showed that she possessed whenever the chances were allowed her. 'Between 1652 and 1673 the value of land had increased fourfold,' he said; 'and the exports and imports sevenfold.'

[2] *Reflexions and Resolutions for the People of Ireland.* Abridged.

BOOK IV.

1735

extirpate their habits of idleness, which were worse than infidelity.[1] The trade restrictions might account in part for the misery of Ireland, but did not account for all of it. They might ruin the middle classes, and perhaps demoralise them; but they did not directly injure the poor. The peasants, Berkeley said, might at least clean their houses, dress their potato gardens, and till their fields, however scanty. Their greatest crime, after all, was idleness. Irishmen were already the world's byeword. 'The Negroes on the plantations had a proverb, that if Negro was not Negro, Irishman would be Negro.' But they were so proud of their filth, that one of his own kitchen maids had refused to carry out cinders, 'because she came of an old Irish stock. A hut, a pot, a bundle of straw, a garden overgrown with nettles, and a heap of children tumbling on a dunghill—this was the picture of an Irish family in the richest county of Munster; and a cynical content in beggary among them, beyond what was to be seen in any people on earth. Granted that the woollen manufactures were taken unjustly from them, there was still room, and to spare, for productive labour. Ireland, for one thing, could grow hemp and flax enough to supply the British navy. She could manufacture paper. She, if she had the spirit for it, could thrive on the home consumption of her own produce. The plough and the spade would supply the place of foreign commerce, except in feeding vanity and luxury. It might be better for Ireland if all the fine folk of both sexes were shipped off to foreign countries, instead of spending their rents at home in foreign luxuries, and spreading moral conta-

[1] *A Word to the Wise.* Address by the Bishop of Cloyne to the Roman Catholics of Ireland.

gion among the people. In the ancient English spirit, the Bishop of Cloyne called on the Government to re-affirm its old authority, restrain the licentiousness of the gentry, compel them to educate themselves, and educate the poor under their charge. When the industry of the country was once more in healthy activity, the incorrigibly idle, the sturdy and valiant mendicant, the rogue that preferred to live on other men's earnings by theft or beggary, might then be lawfully enslaved by the state, and set to labour whether he would or no. The public had a right over those who could or would not find employment; and temporary servitude was the best cure for idleness. Vagrants might be made slaves for a term of years. The sight of them, chained in pairs and compelled to work, would be a wholesome lesson to the rest of the community; and the rogue himself, who was thus earning, however unwillingly, his own food and clothes and lodging, so far from being degraded, was lifted on the first step of the ladder by which he could rise to manhood.[1]

So wrote the gentle Berkeley in days when liberty and human right retained their original meanings; when slavery was still conceived to consist in bondage to evil habits, and it was not yet understood that the first privilege of a free man was to do wrong, if he happened to prefer it to doing right.

But when a country is to be governed, there must first be found men to govern, and England could not govern Ireland, nor would she allow the Irish Protestants to govern it for her. And

[1] 'Several Queries proposed to the Consideration of the Public, by George Berkeley, Bishop of Cloyne.' *Works*, vol. iii. p. 149, &c. The *Querist* was first published in 1735.

BOOK IV.

1735

indeed, handled as they had been, they were fast unfitting themselves for the office. The Puritan spirit of the seventeenth century settlers was dying out. The industrial spirit which should have taken its place had been forbidden to grow. A moiety of the landowners were lounging in England or abroad. Of those who remained, a select few of the highest in the land had formed themselves into a society of Blasters, men whose religious service was a liturgy of execrations, and whose aim in life was to invent untried forms of impiety and profligacy. The choice spirits set the tone. Those less gifted, either in fortune or genius, imitated, at a distance, the more splendid vices of their leaders. The better sort, weary of the hopeless struggle, dropped off one by one, as the century waned, from the narrow road to the broad ; till the English policy completed its work, and the ruling race so painfully planted, to hold and civilize Ireland into a Protestant country, degenerated into the politicians of 1782, and the heroes of the memoirs of Sir Jonah Barrington.

SECTION II.

By the statute law of Ireland neither Papist nor Presbyterian was permitted to open or teach in any school or college in the four provinces. The Parliament had provided for the education of the Irish nation by an act requiring the clergy to provide schools in each separate parish; and in this condition the Government had been content to leave the matter, satisfied with having prescribed an impossibility.

The Catholics, with the same steady courage and unremitting zeal with which they had maintained and multiplied the number of their priests, had established open schools in places like Killarney, where the law was a dead letter. In the more accessible counties, where open defiance was dangerous, they extemporised class teachers under ruined walls, or in the dry ditches by the road side, where ragged urchins, in the midst of their poverty, learnt English and the elements of arithmetic, and even to read and construe Ovid and Virgil. With institutions which showed a vitality so singular and so spontaneous, repressive acts of Parliament contended in vain. A Government which undertook to coerce a Catholic country with penal statutes was bound in justice and prudence to provide a better substitute for the system which it proscribed. After waiting in vain for Popery to die of itself, intelligent Protestant gentlemen discovered, that if conversions were to make progress they must take some active measures with the education of the children, and provide schools which

BOOK IV. 1730

should offer greater temptations than those of their rivals. Wealth, power, superior enlightenment, all were in their favour. It was the boast of Protestantism that it was the religion of intelligence. The hold of the priests, Protestant writers were never weary of repeating, was on the ignorance and superstition of their flocks. Yet the priests were caring more for knowledge than they, beating them on their own ground, and fighting them with their own weapons, of which they were neglecting the use. Shamed and alarmed into exertion, the clergy and gentry took the matter into their own hands. From the beginning of the eighteenth century, and perhaps earlier, charity day schools had been scattered about by the exertions of individuals, where the children of the peasantry had been taught the catechism, and had received some kind of industrial training. In 1710 there were 30 of these schools, where 700 boys and girls, who would consent to be made Protestants, were being taught to read and write, to cultivate the ground, to grow hemp and flax, and spin, and knit, and sew. In 1719 an educational association had been formed: 130 of these day schools had been established, and the number of children receiving education was 3,000. In 1730, in the viceroyalty of Lord Carteret, and in connexion with the general effort described in the last section, to arrest the country in its downward progress, many peers, archbishops and bishops, the chancellor, the judges, and the justices of the peace, united in a joint representation of the necessity for larger exertion; and, without demanding the intervention of the state, professed themselves ready, if permitted, to establish a system of education which in time might become as extensive and as effectual as

the admirable institutions which had been founded by the Reformers in Scotland.

The voluntary efforts hitherto had been confined chiefly, if not wholly, to Ulster. In the Southern provinces the colonies of Protestant peasants, which had been sown in so many parts by the Commonwealth leaders, had wasted away. Scanty handfuls only survived anywhere, unless under the protection of some resident powerful family. There was but one means left to recover the lost ground, 'That a sufficient number of English Protestant schools should be established where the children of the Irish nation might be instructed in the English tongue and in the principles of true religion.' 'The clergy,' it was said, 'had done their best, but they were powerless to cope with so great a difficulty.' 'To the intent, therefore, that the youth of Ireland might be brought up in the true faith and loyalty in all succeeding generations, the Crown was requested to grant a charter for a corporation which might be empowered to hold lands and receive donations and bequests for the supporting of such schools as might be erected in the most necessary places, where the children of the poor might be taught gratis.'[1]

Some subtle assault upon English interests, or the English purse, was usually assumed to lurk under Irish petitions. Too much education, if there were no other objection, might become an element of strength to the country, and to keep Ireland weak was the first principle of English policy. Walpole took three years to consider whether the gen-

[1] 'Humble Petition of the Primate, the Chancellor, Archbishops, Noblemen, Bishops, Judges, Gentry, and Clergy of Ireland, May 7, 1730.' *MSS.* Record Office.

BOOK IV.

1733

tlemen of Ireland should or should not be encouraged to educate the peasantry. At length, in 1733, he came to a conclusion that the experiment might be ventured on a small scale. He wrote to the Duke of Dorset, who had succeeded Carteret as Viceroy, for a list of the persons who were to form the corporation; and he fixed a margin within which their funds were to be limited. The Viceroy satisfied his anxieties. The trustees were the first men in the kingdom. The endowment, since the English Government required a limit, they were willing to restrict to 2,000*l.* a year.[1] On these terms consent was graciously given. Estates were purchased, large donations were contributed, and, on the 24th of October, the long-celebrated Charter Schools, so fiercely condemned by the Catholic priests, whose worst enemies in fact they were, became part of the institutions of Ireland.

The schools were of two kinds—day schools, and schools where the children were separated from their parents, the trustees undertaking their complete maintenance. At both the general system was the same. The object was briefly described in 1738 by the Bishop of Elphin in a sermon before the Society. 'English Protestant working schools were established for English and national interests, from whence little colonies, instructed in religion and enured to labour from their tender years, might be sent out to cultivate the barren and neglected parts of the kingdom, and raise a spirit of industry and activity in the nation.'[2]

Book learning, on the model of the schools already

[1] 'The Duke of Dorset to the Duke of Newcastle, June 14, 1733.'

[2] *Charter Society's Tracts*, vol. i.

1733

existing, was made introductory and subsidiary to real work. The catechism was taught, and reading, and writing, and arithmetic were taught, but for two hours a day only out of the seven or eight of which the school day consisted. The motto of the corporation, 'Religione et labore,' implied a sound and wholesome conception of the meaning of the word religion. The arms were the plough, the spade, the spinning wheel, and a Bible, opened at the text that the poor have the Gospel preached to them. The children were collected in the school-houses at seven in the summer and at eight in the winter. The business of the day opened with prayers. Lessons in grammar and writing followed, as has been said, for two hours. The rest of each day was given up to labour. Spaces of ground were attached to each school-house, extending to ten or more acres, which the boys were taught to cultivate. They trenched and drained. They ploughed and dug. They raised corn, potatoes, flax, hemp. They fed cattle on their meadows, and grew and stored hay for the winter food. The girls learnt spinning, reeling, sewing, washing, brewing, and the business of a dairy: 'all such work as might prepare them for being put out apprentices, or going into service.' Each boy and each girl was provided with a suit of clothes annually. The materials were raised, the linen and woollens were woven, and the clothes themselves were cut out and made up at the schoolhouse.

The children remained at school for five years; at the end of which time they were bound out as apprentices to tradesmen, farmers, or artisans at the expense of the society. The cost at which these results were obtainable was not the least remarkable part of the system. It shows that there was a degree

BOOK IV.

1733

of practical intelligence in some heads at least in Ireland, as good as could be found in the most favoured parts of Europe. To establish a school, to give clothing and instruction gratis, and to provide the apprenticing, was found, in most instances, temptation sufficient to induce Catholic parents to send their children to the day schools. In that case they were fed and lodged at home, and the annual cost for 20 boys, including all expenses, was but 35*l.* a year. The schoolmaster had a house and garden. His salary was 8*l.* in the country, and in town 10*l.* The 20 suits of clothes cost 17*l.*, and 4 of the 20 children were annually apprenticed to a trade for 10*l.* 'The whole charge, therefore, for rescuing each poor child from the utmost misery that could spring from poverty, ignorance, and wickedness, educating him for five years, and putting him in the way of being good and happy, was but 9*l.*[1]

At the charity schools proper, the schools in which complete possession was taken of the children, the expense was greater, and the number which the society could maintain was proportionately smaller. At the outset, from the smallness of the funds, one only was established in each of the four provinces. The first which was opened was founded by the Earl of Kildare, at Castledermot, for ten boys and ten girls, and formed a model to others, which increased gradually till, by the middle of the century, fifty schools were at work in different parts of the country. In all of them the education was of the same admirable kind as that which was provided in the day schools; with this difference only, that the society, when a

[1] 'Report on Schools in Ireland.' *MSS.* Dublin Castle.

1733

child was once entrusted to it, took entire charge of such child's welfare, material and moral. Boys and girls alike were fed, lodged, educated, apprenticed; at the end of their apprenticeships, they were settled in life with a marriage portion. Where so much was done for them, care was taken that the cost and labour should not be thrown away. Admission into a charity or school was, to a poor man's son or daughter, equivalent to ensuring their fortunes. In return, to avoid the danger of their relapsing into Popery, they were usually removed to schools remote from their friends and relations.

The priests were furious. The temporal advantages offered were so considerable, that the strongest admonitions failed to keep the children away. The refusal of the sacraments was even tried with imperfect effect. The education itself was probably the very best which has ever been devised in modern times, eclipsing in its conception the Scotch system, which it was intended to emulate. For the first and last time the Irish gentry were really and thoroughly discharging their duties to the people committed to them; and, wherever the Charter Schools were fairly tried, they carried all before them. Pity only that for so large a harvest there were but few reapers, and that the work that could be done was limited by restrictions of finance. As Ireland then was, and in the existing humour of its inhabitants, a tax of 25 per cent. on the rents of absentee proprietors applied to multiplying schools, would have ended the Irish difficulty. Nay, the sums charged annually on the Irish hereditary revenue for royal mistresses, royal bastards, and court favourites generally scandalous, would have more than sufficed

BOOK IV.

1733

for the same purpose. Although the hereditary revenue did not cover much more than half the ordinary expenditure, and was, therefore, supplemented always by an additional vote, the King regarded it as his private property, with the appropriation of which Parliament had nothing to do. Out of this revenue 2,000*l.* a year was now granted annually to the Presbyterian clergy, and it was accounted a mighty matter. In addition to the 2,000*l.* a year, secured by private endowments to the Charter Schools, the King was pleased, from the same source, to grant an additional 1,000*l.* The munificence ceases to be striking when compared with the objects which were the usual occasions of the bounty of the Hanover princes. In the latter half of the century Irish pensions were used for Parliamentary corruption. The unhappy country was then made to supply, out of its taxes, the material for its own demoralization. Under the first and second George, such grants, if less politically mischievous, were more disgraceful to the administrations who consented to enter them in the public accounts. In 1723 the charge for pensions on the Irish Establishment was no more than 30,000*l.* In 1733, the year in which the charter was granted, it had risen in a total annual expenditure of half a million to 69,000*l.*

Among the distinguished persons in whose favour this annual burden upon the Irish establishment had been more than doubled, are to be found the Duchess of Kendal, Duchess of Munster in the Irish peerage, with a pension of 3,000*l.* a year; Sophia Kielmansecke, another mistress of George the Second, created Countess of Leinster, with 2,000*l.* a year; Lady Walsingham, daughter of the King and the Duchess

of Kendal, with 1,500*l.* Besides these, Lady Stanhope had 2,600*l.* a year, Lady Darlington 2,000*l.*, and old Baron Bernstorff, who, whatever his claims may have been on George the Second, had certainly none on Ireland, received 2,500*l.* a year;—almost a sixth of the Irish revenue thus scandalously squandered, and an annual thousand pounds all that could be spared to a fund which was a very fountain of the waters of life! So it was; and, still more strangely, complaints from Ireland on the abuse of the Pension fund were received in London with exclamations of indignant astonishment. Among the remarkable qualities of English statesmen during the two last centuries, the most striking, perhaps, has been their inability to recognize a political iniquity till it has become so flagrant as to be intolerable, and an inability equally great, when the iniquity has been redressed, to understand how it could ever have been tolerated.

The Irish gentlemen, meanwhile, were not deterred by the coldness of the English Government. The hereditary revenue continued to be squandered. The Dublin Parliament raised funds out of fresh taxation, and raised their own grants to the society to four, five, and six thousand a year. Peers and gentlemen established schools on their own estates, which were affiliated to the central corporation. Archbishop Boulter came forward in practical liberality, and built and endowed a school in Dublin almost at his own expense. More than 30,000*l.* was collected in England by private subscription. Other sums were sent from the American colonies. The bishops of the Church began, in a few years, to congratulate themselves that the talisman which was to

BOOK IV.

dissolve the spell of Papal dominion had been at last discovered.[1] So vigorous, so effective, had become the society by the middle of the century, that Parliament appropriated a special branch of the revenue, the annual proceeds of hawkers' and pedlars' licences, to the support of the schools, and grafted on them an effective statute for the repression of Irish beggary.

'In every part of the kingdom,' said the eleventh of the 23rd of George II., 'mendicant children were seen wandering about the country; the Charter Schools had furnished means of educating and providing for them, so that they might become useful members of society.' The ministers and churchwardens had already powers to bind such children as apprentices, with the parents' consent; but this remedy had proved inefficient, and the numbers had still increased. It was enacted, therefore, that, after Michaelmas, 1750, the Charter Society might appoint officers in every province, with powers to take up children between the ages of five and twelve years who might be found begging, and convey them to the nearest Charter School, there to be taken charge of, bred up in industry, and bound out, when at sufficient age, as servants or apprentices to Protestants: and whereas children taken into the schools with their fathers' and mothers' consent had been afterwards demanded back on various pretences, for the defeat of the purposes for which the schools had been erected, the Parliament decided also that a child once received into a charter school was thenceforward a child of the

[1] See the three volumes of the Charter Society's tracts, with the annual reports and the sermons of the Bishops at the annual meetings. See also a series of 'Letters from Henry Maule, Bishop of Dromore, 1741–1744.' *MSS.* Record Office.

public; and that, unless the parents could prove that it had been admitted against their will, it was not to be given back to them.[1] 1733

How the very best system of education ever set on foot in Ireland, came at last to nothing, will be told in its place. The fierce and bitter opposition of the priests would have itself been inoperative. Irregularities in the management created occasional scandals; but these were promptly punished. Schoolmasters who allowed girls, under their charge, to be seduced, were three times publicly whipped in the nearest county town.[2] The Charter Society failed partly from the disorganized condition of general Irish society, which spoilt the healthy working of the apprentice system, partly from the spirit of the age, with which, as the century waned, it found itself in too harsh hostility. The catechism and industrial training were too unspiritual to suit the sentiment of revived emotional Christianity; and when the schools, instead of turning out hardworking labourers and artisans, were turned to purposes of soul-saving and propagandist enthusiasm, they came in conflict with modern liberal ideas, and were held to violate the sacred rights of conscience to choose its own religion, and, in its own wisdom, to believe whatever theories about divine things it happens to prefer.

[1] 23 George II. cap. xi. *Irish Statutes.* [2] *Ibid.*

SECTION III.

BOOK IV. 1723

The Duchess of Kendal was not contented with her pensions, and her name is connected with another Irish scandal which obtained an unenviable notoriety. The rapacity of this lady was on the scale of her person. Wherever the curtain can be lifted which screened the secrets of the Court and Cabinet of the first Georges, the hand of Erengard Schulenberg can be generally detected, raking together ill-gotten plunder. It was alleged with truth—for when the storm was over a real deficiency was left to be supplied—that Ireland required an addition to her copper coinage. The Duchess of Kendal, in return for a share of the anticipated spoil, procured a patent for a rich ironmaster named Wood, to coin and circulate in that country 108,000*l.* worth of halfpennies and farthings. The metal, by the terms of his patent, was to be identical in purity with the metal coined for England. The weight of the coins was to be something less. The market price of copper in England was thirteen pence the pound avoirdupois: wrought into bars and prepared for the mint, it was reckoned to be worth eighteen pence the pound. The pound was coined into twenty-three pence, and allowing twopence for waste and for the cost of cutting and stamping, the gain to the mint on each pound of copper coined in England was threepence. By Mr. Wood's patent the pound of copper was confessedly to be made into sixty halfpence or thirty pence, and the gain on his grant, when carried out, if

the letter of it had been strictly adhered to, that remained to be divided between himself and his patroness, would have amounted to something like 40,000*l.* The copper coin already in use in Ireland was inferior in sterling value to that which was now to be introduced. But the quantity was to be considered as well as the quality. The entire specie currency of Ireland, gold, silver, and copper, in 1724, was estimated only at 400,000*l.* In England the copper coinage in circulation was but a hundredth part of the whole. In Ireland, when the patent was executed, it would become a fifth of the whole. Copper would enter necessarily into all payments. It would displace and drive out gradually the gold and silver, it would confuse prices, offer an irresistible temptation to coiners, and create all the evils which invariably accrue when an inferior coin, intended only for small purchases, becomes the ordinary standard of exchange.[1]

The patent was granted in March 1723. The stream of halfpence commenced at once to flow; yet, though to some extent confessedly needed, they were received with dislike and suspicion, and the Duke of Grafton came over as Viceroy in August, furnished by Walpole with arguments which, as he hoped, would remove the objections.

The Duke found Dublin in an unpropitious humour. The city was fermenting under a pamphlet recently issued, entitled 'Ireland's Consternation.' Every person was open-mouthed about the new halfpence, and the very servants of the Crown were afraid to defend what was so universally and indignantly exe-

[1] 'Archbishop Boulter to the Duke of Newcastle, January 19, 1725.' *MSS.* Record Office.

BOOK IV.

1723

crated. Parliament met immediately after. Hawkers were screaming the pamphlet about the streets, as the Viceroy went from the Castle to the opening. His instructions being unsuited to the condition of feeling, he evaded the subject in the speech from the throne; but the first act of the Commons was to appoint a committee to go into it, and, after 'three weeks' reasoning and enquiry,' the Duke declared himself unable to find a single member who would support the Government. Alan Brodrick, the son of the Chancellor, hinted at an impeachment of Walpole in England.[1] A series of resolutions were passed, condemning the patent, and an address to the Crown was drawn up, insisting that it had been obtained by notorious misrepresentations; that if the terms were complied with there would be a loss to Ireland of 150*l.* on every 100*l.* worth of copper issued;[2] and that to grant patents of coining to private individuals was 'highly injurious.' The terms themselves, however, it was said, were not observed, bad as they were. Chemists appointed to analyse specimen pieces reported that the metal used was below the standard which the patent required. The corporation of Dublin sent in a petition that Wood should be required to exchange his halfpence on demand for gold and silver at the market price of copper. Lord Midleton wrote privately to Walpole, that in the humour of Ireland the project could not be carried out, and

[1] 'Brodrick, after some very odd expressions in a debate, said yesterday that nobody was too great in another kingdom for what he had done in prejudice to this; for a first minister in England had been impeached for grievances complained of by this nation.'—'Grafton to Walpole, September 14, 1723.' *MSS.* Record Office.

[2] 'The value of the copper coined into sixty halfpence cannot be reckoned above a shilling; thus the kingdom will lose eighteenpence in every half-crown.'—'Objection to the Coinage.' *Ibid.*

that the readiest way out of the difficulty would be to grant the corporation's request;[1] while the Duke reported that young Brodrick had sworn to expose the mystery before the Parliament of England, 'and did not doubt but that he should there discover other guise persons than this villanous projector Wood, who had been obscure but for this infamy.'[2]

The first emotion of the two men who at this time governed England was of passionate surprise. Lord Townshend[3] wrote a letter to the Duke of Grafton so violent that Walpole threw it in the fire, and composed another, making the question a personal one between himself and the Viceroy. Conscious of a bad cause, and exasperated at an opposition which he knew not in what way honourably to meet, he flung himself on the first object on which he could safely vent his indignation.

'I will not enter into the merits of the question,' he said; 'I write merely as a friend. Parliament, under your administration, is attacking a patent already passed *in favour of whom and for whose sake you know very well.* Will it be for the service to suffer an indignity in this vein? The patent was passed by those that you have hitherto looked upon as pretty nearly engaged with you in your public capacity. Are they no longer worth your care or trouble? It was passed under the particular care and direction of one upon whom the first reflection must fall, that never yet was indifferent when you were concerned. That consideration, I daresay you

[1] 'Lord Midleton to Walpole, September 15.' *MSS.* Record Office.

[2] 'Grafton to Walpole, September 24.' *Ibid.*

[3] Charles, second Viscount Townshend, President of the Council.

BOOK IV. 1723

will be told, is not worth the hazarding the quiet of the session; for all attempts of this kind have always secret springs and supports; as this, I believe, has from both sides of the water. Do you think the principal actors on that side aim at your friends here only, and have no eye to the Lord Lieutenant? or do you think those on this side, who chiefly point at your humble servant, are incapable in a proper place to turn it upon you, and impute the whole either to your want of credit and capacity, or to indifference, when you think yourself not immediately concerned? And do you think it impossible that such representations should have any effect in a certain place? In short, does your Grace think you will be thought to make a glorious campaign if, by compounding for this, you should be able to carry all the other businesses through without difficulty?

'The objections to the patent now come over, I venture to pronounce, are frivolous, and such as a very common understanding with a willing mind may easily refute. I never knew more care taken than in passing this patent. I am still satisfied it is very well to be supported. What remedy the wisdom of Ireland will find out for this supposed grievance I am at a loss to guess, and upon whom the consequence of this Irish storm will fall most heavily, I will not say. I shall have my share, but, if I am not mistaken, there are others that will not escape. I hope your Grace is not mistaken when you are persuaded thus to be indifferent. There are some people that think they are ever to fatten on the expense of other men's labours and character, and be themselves the most righteous fine gentlemen. It is a species of mankind I own I detest. But I'll say no more; and if your Grace

thinks I have said too much I am sorry for it; but mark the end. I am, &c.

'R. WALPOLE.'[1] 1723

This singular letter must have crossed on its road the despatch, which informed Walpole of the threatened impeachment and the violent proceedings of the Irish Parliament. The news was not calculated to improve the humour of the imperious minister. He was specially irritated at the Duke's taking credit to himself for having prevented the Irish Houses from passing a direct censure on the advisers of the Crown. 'What is all this?' He wrote again on the 3rd of October: 'I know what these things mean in an English Parliament. I suppose you talk another language in Ireland. I have weathered great storms before now, and I hope I shall not be lost now in an Irish hurricane. If I am capable of thinking at all right upon this subject, I would willingly consider what is now to be done. You seem to think we must give in. Where then is Mr. Brodrick's crime if we, by withdrawing the grant, acknowledge that we were wrong? Consider what answer we are to make, and pray don't do in this as you have done in every other step, stay till all is over and then speak.'[2]

Lord Townshend followed ten days later in the same strain; and from the letter which he was allowed to send may be inferred the character of that which Walpole burnt.

'The Irish,' Townshend said, 'are so absurdly wrong that I can only laugh at them. Can any one in his right judgment think the King will part with his

[1] 'Walpole to the Duke of Grafton, September 24, 1723.' *MSS.* Record Office.

[2] 'Walpole to the Duke of Grafton, October 3.' *Ibid.*

BOOK IV. 1723

unquestionable prerogative for such weak objections? It is so tender a point, that it is the highest folly in any one to attack it, unless there is manifest evidence of misapplication. Nor is the prerogative all. The King is touched more nearly, and feels his honour highly concerned in the affair.[1]'

The honour of kings, it seemed, was composed of material unlike that of common men. Unsoiled by the doing of wrong things, it was only tarnished by the exposure of them. Grafton had an ordinary conscience. He saw that the patent was iniquitous. He disliked being made the instrument by which it was forced down the Irish throats, and he resented the reproaches which had been flung on himself.

'Twas impossible to stop the torrent,' he replied calmly to Walpole. 'You ask what is to be done? Let the grant be declared void, as having been obtained on a misrepresentation. Do not irritate a country where there is such a visible coolness of affection, and so much ill blood stirring as may prove very hurtful to his majesty's interest. I must not conceal from you, that the article of pensions has a great share in keeping on foot these murmurings.'[2]

Unable to resolve what to do, perhaps secretly endeavouring to compromise the matter with Wood, or induce the Duchess to forego her expected plunder, Walpole wrote no more letters. The Irish Parliament had forwarded their petition. Weeks passed, and it remained unanswered. They supposed that the English minister was waiting for the Money Bill, and, when it was passed, meant to close the session.

[1] 'Lord Townshend to the Duke of Grafton, October 14, 1723.' *MSS.* Record Office.

[2] 'Grafton to Walpole, October 19.' *Ibid.*

There was a call of the House of Commons. Members came up from the farthest parts of Ireland. All other business was suspended. Lords and Commons passed a vote, that they would sit till some answer came, and that no power should adjourn them but their own consent.[1] They intimated plainly that the supplies should not be voted till the patent was withdrawn.

Finding the Parliament thus obstinate, and not being on the spot to apply his usual methods of dissolving hostile Parliamentary majorities, Walpole had recourse to cunning. The money was indispensable to him and at the same time he, or those whom he dared not offend, were resolute not to give way. The King, after three months' delay, wrote to express his regret that the patent had given offence, to promise an enquiry, and to promise also, that if Wood had been found to have broken his engagements, he should be severely punished.

The words were vague, but thrown, as they were, into the form of an apology, the Irish leaders persuaded themselves that they amounted to a confession of defeat; that their expostulation had taken effect; and that they could now afford to be generous. The two Houses replied, that they were grateful for his majesty's kindness; they trusted that means would be taken immediately to prevent the coin from being put in circulation; and, as a proof of confidence, they voted the supplies for the usual two years. They assumed that the dispute was at an end; and with an understanding that it was not to meet again for business till the autumn of 1725, and, with mutual compliments and expressions of good will, the Parliament broke up, and the Duke of Grafton sailed for England.

[1] 'Grafton to Walpole, November 2.' *MSS.* Record Office.

BOOK IV. 1723

Rid of his immediate difficulty, and choosing to believe that the opposition had been a mere explosion of unmeaning Parliamentary faction, Walpole now imagined that the course was clear before him, and that he could do as he pleased. The King's promise was observed to the letter. A committee of the Privy Council was appointed to examine a matter which was already determined on. A few bags of the halfpence were made over to Sir Isaac Newton to be analysed; and when it was found that, so far as these specimens were concerned, the terms of the patent had been observed, Sir Isaac's name was paraded to shield a transaction which, whether they were observed or not, was still an abominable fraud. The Committee reported that the new coin was purer than that already in circulation; that there had been no misrepresentation; that Ireland needed an addition to its copper currency; that the King was acting within his undoubted prerogative; that the patent was granted, and that it could not be legally recalled.[1]

The report was sent to Dublin, with the results of Sir Isaac Newton's investigation. A hope was expressed that the Irish would perceive that they had been unnecessarily alarmed. The issue of halfpence recommenced; and Wood, in an evil hour for himself, was heard to swear that he would force the Irish people to swallow them, whether they liked it or not.

It was now that the champion of Irish rights appeared on the scene, whose genius has condemned a transaction to an infamous immortality which, but for him, might have been forgotten among the thousand scandals of those anxious days. Since the pro

[1] 'Report of the Privy Council, July 24, 1724.' *MSS.* Record Office

secution of the printers of his 'Address to the People of Ireland,' Swift had published nothing which could bring him into collision with the Government; not, however, out of any love for Walpole or the Whigs. The Whig policy was hateful to him. Against Walpole he had an unrequited grudge. He had been watching, doubtless, for an opportunity to quit scores with him, and the time was come. Perfectly well acquainted with the secrets of the English Court, and possessed in consequence with a scorn which gave him threefold strength, the Dean of St. Patrick's stepped down into the arena, in the disguise of a Dublin drapier or haberdasher. He laid bare, in a series of letters, the scheme of which Ireland was being made the victim, and covered all the actors in it with a cataract of infamy which no ablution could cleanse. Dealing with unscrupulous men, he was himself far from careful of the exact truth. He wrote like a man in the hands of swindlers, and not particular by what name he called them. In a good cause there was no need to stand on trifles. He could not of course directly attack the Government. The miserable Wood was made the scapegoat, and Walpole was struck at through his side. He advised his countrymen, at all hazards, and at all inconvenience to themselves, not to admit the halfpence among them. He represented Wood, who was a wealthy Wolverhampton iron founder, as a 'vile fellow,' 'a base mechanic,' a speculating wretch, 'who had bought up the old copper in Ireland to make an artificial scarcity.' Wood had undertaken, as a compromise, to limit his first issue to less than half the original quantity: the rest he had promised to keep back till it should be wanted. What security could Ireland find, enquired

BOOK IV. 1724

the Drapier, so long as Wood was to be his own judge of her necessities? 'Let Wood and his crew of founders and tinkers,' he said, 'coin on till there is not an old kettle left in the kingdom; coin old leather, tobacco pipes, clay, street dirt, and call it what he will, we will not take it. By his own computation we are to pay three shillings for what is worth but one. . . . A whole kingdom is in dismay at the threats of one single diminutive, insignificant mechanic. We are to be eaten alive by this little arbitrary mock monarch; devoured alive by a rat. If Mr. Hampden chose rather to go to prison than pay a few shillings to Charles the First, I will rather choose to be hanged than have all my substance taxed at the arbitrary will and pleasure of the venerable Mr. Wood.'

Three letters of the terrible Drapier, all in the same strain, appeared in rapid succession. Already indignant at the trick which had been played upon the Parliament, the people were like fuel ready dried for the fire. The author was recognized notwithstanding the disguise of the name, and Swift became the idol of the Dublin populace. Mobs walked in procession through the streets, carrying Wood's effigy, a rope to hang him, and a coffin, and a winding sheet. The Government, alternately bewildered and furious, knew not which way to turn. 'What would you have?' wrote the Duke of Newcastle to Lord Midleton; 'the patentee has a right of property in his patent, of which nothing but force can deprive him. The King cannot revoke it. The patentee has complied with his terms, and the copper money is the best that ever was coined for Ireland.'[1] Unreasonable Ire-

[1] 'The Duke of Newcastle to the Lords' Justices, October 3, 1724.' *MSS.* Record Office.

land, that refused to be pacified with smooth words! The situation was one of a kind to which the Duke of Grafton was evidently unequal: a stronger hand and a stronger head were required to cope with it. Lord Carteret, then about thirty-seven years old, one of the ablest, if not the very ablest, statesman that Walpole had at his command, was selected, in Grafton's place, to dissolve the Opposition, and to use all means which experience in England had proved successful in such cases: corruption and resolution, adroitness and good dinners, 'Burgundy,' 'closeting,' and 'palaver.'

Carteret went to his work with commendable misgivings. 'I will do my best,' he said; 'I have had difficult things to do before. The pitcher goes often to the well, and is broken at last; but the proverb frightens me not. If I have the fate of the pitcher, people shall say, I deserved better luck.'[1] He landed on the 23rd of October, a day which was still observed with anniversary solemnities commemorative of the massacre. The Drapier was on the watch for his coming. At the moment of his arrival, the famous fourth letter, just newly issued, was being hawked through the streets. So far Swift had kept clear of politics. He might have been indicted for a libel upon Wood, but he had written nothing on which the state could found a prosecution. He had now deliberately touched a more dangerous chord. The sore point in the connexion between the two kingdoms had been the alleged dependence of Ireland upon England. Ireland with her own Parliament, and her own laws, had claimed to be a free

[1] 'Carteret to the Duke of Newcastle, September 10, 1724.' *MSS* Record Office.

BOOK IV. 1724

country; under the same sovereign with England, it might be; but still free. If England, for her own purposes, chose to alter her succession; to expel one King and choose another; Ireland, unless with her own consent, held herself entitled to hold her old allegiance. She was vain of her supposed loyalty to Charles the First. She had rejected William and adhered to James, and had insisted that she was within her rights in doing so. By the 9th of the 1st of William and Mary, the English Parliament had replied by a statutory declaration that the kingdom of Ireland was annexed and united to the imperial crown of England, and was subject to the English sovereign whoever he might be. The connecting link between them was not the person of the king or queen. The smaller country was attached to the larger as an inseparable appendage; and it was in virtue of this statute that the war of 1691 was regarded and treated as rebellion. The resistance of Ireland to the halfpence had been described as unbecoming in a *dependent* kingdom. The Drapier, so choosing his words as to combine affected loyalty to the House of Hanover with loyalty to Irish liberty, and making it peculiarly difficult to construe his language into treason, yet gave voice to the inmost thoughts of Irish nationality, in denouncing the alleged dependence. 'Next under God,' he said in this fourth letter, 'I depend only on the King and on the laws of my country. I am so far from depending on the people of England, that, if ever they rebelled against their sovereign, I would take arms against them at my sovereign's command: and if such a rebellion should prove successful, so as to fix the Pretender on the throne of England, I would venture to transgress

that statute so far as to lose every drop of my blood to hinder him from being King of Ireland.'

With these words, street and square were ringing when Carteret arrived in Dublin. Boys were standing at every corner, bawling out the last letter of the Drapier. The 'fly sheets' were being sold to eager buyers 'within the gates of Dublin Castle.' Without so much as an hour to collect himself after his voyage, the new Viceroy had at once to address himself to the battle. There was no time for dinners and Burgundy. 'To try,' as he said, 'the tempers of the leading people,' he summoned the late Lords Justices, the Privy Council, and the judges. He insisted on the lawfulness of the patent, the folly of the objections, and the determination of the Government not to allow itself to be insulted. 'The meaning of the movement,' he said, 'was now explained. It was not to escape the miserable halfpence. The Irish people intended to shake off their allegiance, and their dependence upon England. They would find themselves mistaken. He should immediately offer a reward for the discovery of the writer of the letter, and instruct the law officers to prosecute the printer.'

Many years had passed since words like these had been heard in Dublin Castle. Pity only that, when spoken, they were spoken on the wrong occasion. A violent debate followed. The Lords Justices, Midleton, and Speaker Conolly supported the Viceroy. The Archbishop of Dublin,[1] Swift's constant friend, and the Bishop of Elphin,[2] said coldly that such high-handed measures would fail of their object. A prosecution would add to the discontent, and endanger the

[1] King, now a very old man.

[2] Godwin, an Englishman, who had been Archdeacon of Oxford.

BOOK IV.

peace of the realm. Under the existing circumstances no jury would find a bill.

1724 Carteret fiercely replied, that 'the peace of the kingdom should be kept.' The Chief Baron[1] said that 'things were in a bad way, if the board were to be intimidated, and the laws suspended, from a fear that sedition should be justified by a jury.' After a stormy discussion of six hours, a majority were brought to consent that a reward of 300*l.* should be offered for the detection of the Drapier. But the consent was unwillingly wrung from them. The entire Council agreed in condemning the halfpence. They required, and the Viceroy found himself unable to refuse, that the Proclamation should be directed solely against 'seditious and scandalous paragraphs' in the letter, and should contain nothing which could be construed into an approval of Wood. Even with these precautions, Archbishop King declared, on leaving the room, that 'the Viceroy would have reason to repent so precipitate a resolution.'[2]

Carteret was receiving an Irish welcome to his uneasy office. Like so many other statesmen before and after him, he had brought with him a conviction that Ireland required only a firm government; that authority had only to assert itself, in order to be obeyed. Had he remembered that a government must be just as well as firm, he would have brought the key to unlock the riddle with him; but with this remembrance he would scarcely have come to Ireland at all on his present errand. Unjust violence, alternating with affected repentance for past oppression,

[1] Bernard Hale, rewarded afterwards by a seat on the English bench.

[2] 'Carteret to Newcastle, October 28.' *MSS.* Record Office.

and childish prate about *Irish ideas*: this has been the eternal seesaw in the English administrations of the unlucky country. Who but Cromwell has ever tried to rule her by *true* ideas ?

The Archbishop, with forty years' experience of public life in Dublin, understood the situation better than Carteret. Two days after he came privately to the Castle, and, after talking in what the Viceroy called 'a very extraordinary manner,' told him that 'the Drapier had some thoughts of declaring himself, and might safely put himself on the country and stand his trial.' Carteret knew who the Drapier was as well as the Archbishop, and was aware that he had a dangerous person to deal with. But he had not yet dreamt of yielding. 'No one,' he said, 'however considerable, was of weight enough to stand a matter of such a nature. If the author desired the glory of a prosecution, he might apply to the Chief Justice of the King's Bench; the libel contained treason, and his duty was to bring the writer of it to justice.'

'You will tell the King,' Carteret wrote in sending information of what had passed to the Duke of Newcastle, 'that if the author's boldness should be so great as the Archbishop says, I am determined to summon him before the Council; and, though I should not be supported by them, to order him to be taken into custody, to refuse his bail, and keep him till I know his majesty's pleasure. The Chief Baron thinks that if we do act it must be with the utmost rigour. Lord Shannon tells me the chief citizens of Dublin are in a strange humour. Dr. Swift is said to be the author, but it will be hard to prove, though many think he may be spirited up to own it.'[1]

[1] 'Carteret to Newcastle, October 31.' *MSS.* Record Office.

BOOK IV.

1724

The haughtier Carteret's attitude the fuller became the cup of humiliation which in the end he was compelled to drink. All Dublin, from highest to lowest, was openly defiant. The Proclamation was issued, but the criers dared not carry it into the streets. A declaration against the halfpence, signed by several of the Council, was printed on large sheets, and hung up framed in the most public parts of the town. A hackney coachman had an altercation with an officer about a fare. A mob collected; the coachman declared 'that the gentleman had offered to pay him in Wood's money,' and the officer was hustled and beaten. The Corporation presented Swift with the freedom of the city in a gold box. The story of the deliverance of Jonathan was made into a recitative and chanted about the streets:

'Then Saul said to Jonathan, What hast thou done. God do so, and more also, for thou shalt surely die, Jonathan. And the people said to Saul, Shall Jonathan die who hath wrought this great salvation in Israel? God forbid; as the Lord liveth there shall not one hair of his head fall to the ground, for he hath wrought with God this day. So the people rescued Jonathan that he died not.'[1]

In England the Lord Lieutenant's vigour gave supreme satisfaction. The King said, that even 'if Swift came forward his acknowledgment would make no difference either in the crime, or in the manner in which it should be punished. The Lord Lieutenant should proceed according to law.'[2] The law itself, justice itself, which the sentiment of Ireland was de-

[1] 'Thomas Tickell to Secretary Delafaye, November 1.' *MSS.* Record Office.

[2] 'Newcastle to Carteret, November 5.' *Ibid.*

fending against English authority, proved too strong both for King and Viceroy. The Drapier having reconsidered his intention of declaring himself, the threatened prosecution was undertaken against the printer, a person named Harding. With characteristic audacity the Dean published an anonymous address to the grand jury, inviting them to throw out the bill. The worst that could be alleged against the Drapier, he said, had been but an unwary expression; otherwise he had deserved well of Ireland, and ought to be supported; the grand jury, being merchants and shopkeepers, had nothing to gain by returning the bill, and nothing to fear by rejecting it; 'they expected no employment in the state to make up in their own advantage for the destruction of their country.' This sarcastic stroke of insolence was received also with applauding clamour,[1] and the aspect

[1] Swift at one time undoubtedly contemplated, if not avowing the authorship of the letters, yet taking up the Drapier's quarrel in his own name. At the height of the storm he addressed a letter to Lord Midleton from the deanery, which he evidently intended to publish. He assumed that the Chancellor agreed with him, and the Drapier having been silenced, he said that he must himself take up the pen. The English, he declared, knew no more of Ireland than of Mexico. They regarded it as a country subject to the King of England, full of bogs, inhabited by wild Irish Papists, and kept in awe by mercenary troops. They thought it would be better for them if Ireland were sunk in the sea; and if an Irishman came among them they crowded about him as if he were a wild beast. In reality, The Papists of Ireland were as inconsiderable as the women and children. Mr. Wood's victims were Englishmen and Protestants.

He explained in detail, as he had done before, under the name of the Drapier, the nefarious character of the patent; still, however, throwing the blame on Wood, and suggesting that the bellman of each parish, as he went his midnight round, should cry, 'Past twelve o'clock. Beware of Wood's halfpence!' He himself, he said, if forbidden to speak, would go when he was in danger of bursting, and whisper among the reeds, 'Beware of Wood's halfpence!'

Midleton, as Chancellor, objected probably to the appearance of a letter of such a character addressed to himself. It was kept back at the time, but appeared afterwards as No. 6 in the Drapier Series.—*Swift's Works*, vol. vii.

BOOK IV.

1724

of things was so unfavourable, that even Carteret's own mind began to misgive him. Grafton perhaps had been less to blame after all than he and Walpole had imagined. 'The rage,' he admitted, 'was universal.' A general hope was expressed, he said, 'that his majesty would recede and withdraw the patent;' and he confessed that he hesitated what to advise. 'The Protestants having universally taken so unaccountable a turn, the Papists naturally followed suit to keep up the ferment. Commerce and credit suffered, and imaginary fears had become real evils. The troops were in good condition, and showed the best spirit, but they were weak in numbers.[1]'

English soldiers were spared the disgrace of forcing light halfpence upon Ireland to fill the pockets of a King's mistress. The prosecution of the printer was pressed. The grand jury took Swift's advice, and threw out the bill. They were sent back with a reprimand. They divided, twenty-seven to eleven in favour of persisting. The judges sent for them, man by man, to expostulate. They had but one answer, that the presentment of the paper would bring in the halfpence. 'Even treason,' Carteret said, 'would not be found by an Irish jury if coloured over with popular invectives.' La Touche, the banker, who had voted with the minority, was all but ruined by his temerity. 'There was so violent a run upon him, that it was feared he would be obliged to stop payment.'[2]

Amidst universal execrations, contrary to precedent, and contrary, it was alleged, to law, the first grand jury was discharged, and another summoned. Fourteen of the new jurymen were notorious Jacobites.

[1] 'Carteret to Newcastle, November 14.' *MSS.* Record Office.

[2] 'Carteret to Newcastle, November 22 and November 24, 1724.' *Ibid.*

Their humour was so confessed that the Chief Justice dared not press them to a decision. But being assembled, they refused to be passive. Instead of presenting the printer of the Drapier Letters, 'the grand jury of the county and city of Dublin presented all persons who had attempted, or should endeavour to impose, Wood's halfpence upon Ireland as enemies to his majesty's government and the welfare of the kingdom.'[1]

Two alternatives only now lay before the Government. Either they must suspend the constitution, declare Ireland in a state of siege, and govern by the army, or they must accept their defeat. Walpole, already fearing that he might have gone too far, had sent an order to Carteret, not to exceed the law, whatever the provocation.' He had bidden him 'consult such persons as retained their reason,' and let him know their opinions.[2] Carteret, with evident relief, replied that the matter must be ended; and that if the King could make up his mind to let the patent drop, a way of retreat would be opened to him. Men whose estates were in Ireland were shy of giving advice when public feeling was so violently agitated. Every one with whom he spoke, however, was of opinion, that something must be done before the Government could encounter the Parliament. So long as the patent was maintained, the public business could never be carried on. If the patent was cancelled, the House of Commons might be brought to vote some compensation to Wood, provided it was done indirectly, and his name did not appear.[3]

The dose was too nauseous to be swallowed with-

[1] 'Carteret to Newcastle, December 1.' *MSS.* Record Office.

[2] 'Newcastle to Carteret, December 3.' *Ibid.*

[3] 'Carteret to Newcastle, December 16.'

BOOK IV. 1724

out reluctance and wry faces. Townshend was especially indignant. 'The King,' he said, 'was astonished to receive such advice. He had asked for the opinions of reasonable persons, and he was answered that the patent must be withdrawn, and that money would then be silently voted to hush up the quarrel. The King never asked, or accepted, money from Parliament without specifying the purpose for which it was needed. He could not bring himself to make a private bargain. He had never meant to force the copper on his people: he would never allow it to be forced on them, and an assurance so distinctly given ought to be sufficient.'[1]

Townshend's letter was read before the Irish Council. They were not satisfied. The country had made up its mind that the accursed thing should have no entrance there under any pretext whatsoever. Midleton resigned the seals, and the war seemed about to recommence; when Archbishop Boulter, then newly settled in the Primacy, interposed with judicious explanations, satisfied Walpole of the real danger of allowing the dispute to continue, and induced him to capitulate on the offered terms.

'All parties,' the Archbishop wrote, 'without distinction of party, country, or religion, are against the halfpence. Their agreement in this has had a very unhappy influence on the state of affairs here, bringing together Papists, Jacobites, and Whigs; so that 'tis questioned whether, if there were occasion, justices of the peace could be found that would with any strictness search and disarm Papists. The apprehension of the loss they will sustain in their estates if these halfpence are introduced has cooled the zeal

[1] 'Townshend to Carteret, December 29.' *MSS.* Record Office.

of numbers that were before warmly affected. It appears also, and may more appear, that the uneasiness is a protection to any sedition, uttered or published, that has anything about the halfpence intermixed with it. No witnesses against such delinquents would be safe from popular fury. Papists and Jacobites have been very industrious in this affair to bad ends. Foolish people have taken advantage of it to talk of independency. Men of sense, however, abhor any such notion. They take the safety of their lives and properties to lie in the connexion with England. I trust the folly of some and the wickedness of others will never provoke an English ministry to take angry steps to distress a nation where the title of every Protestant to his estate is inseparable from that of his majesty to the crown. Their affection will revive when the present heat is over; nor can this nation be hurt sensibly without great damage to England. . . But the uneasiness will remain till the patent is absolutely sunk. . . . I have asked them whether they would not admit ten thousand pounds worth or twenty thousand pounds worth of the copper. They say they will admit none. They are all determined, and you cannot venture to let Parliament sit till these heats are laid. I have told them that Wood must have been a great sufferer already, and must suffer more if his patent is revoked; that there is no doubt of its legality, or proof that he broke the terms of it. All here, however, are positive that his agents uttered a baser coin than those current at the Mint. He will not resign without compensation, and sedition may provoke his majesty to sustain him. We ought, therefore, to propose some amends to Mr. Wood to induce him to resign. Sensible people answer that

BOOK IV. 1725

they dare not propose anything for fear of being fallen upon in Parliament. But if the Ministry will compute what they think it reasonable to allow Mr. Wood; and if, after he has resigned his patent, an order is sent from his majesty to pay some one in trust for Mr. Wood, without mentioning his name, such a sum for such a term of years as they shall judge equivalent, they will be able to provide that payment in Parliament.[1]

The Primate had expressed fully what Lord Carteret had been able only to hint at. After taking time to consider, the Government consented to terms, which, though unwelcome, were less severe than they might have expected. 'The method, your Grace proposes,' Newcastle replied to Boulter, 'seems reasonable, and may be a handle for something to be done when we come to a resolution.' Before the autumn session commenced the resolution had been arrived at, and the Viceroy was able to meet Parliament with an assurance that the patent had been cancelled. The private arrangement was carried out by which Mr. Wood was indemnified for his losses and for his mortification, and both Houses made gracious acknowledgments in the answer to the address. In the Commons there was no difference of opinion. With apparent heartiness they thanked the King for his great goodness and condescension. In the Upper House the Archbishops of Dublin and Tuam, Lord Midleton, and other Peers moved, and carried on a division, that to the words 'goodness and condescension' should be added 'great wisdom.' The sarcasm, a last arrow probably from the quiver of the Dean of St. Patrick's, would

[1] 'The Primate to the Duke of Newcastle, January 19, 1725 (abridged).' *MSS.* Record Office.

have turned the compliment into an insult. The Dean was held to have cleared his account with Walpole sufficiently without impertinence to the King.[1] Before the amended answer was presented the Primate again interposed. Archbishop King and Lord Midleton struggled hard for the 'great wisdom,' but calmer counsels prevailed. The words were lost on a second division by a majority of twenty-one to twelve, and the scandal of the Duchess of Kendal's halfpence was at an end.[2]

[1] Walpole had interposed in the English House of Commons to prevent Swift from being made a bishop, and had implied that he did not believe him to be a Christian.

[2] 'The Primate to the Duke of Newcastle, September 21 and 23.' *MSS.* Record Office.

SECTION IV.

BOOK IV. 1723

In the midst of the heat and dust of the Wood hurricane, at a moment when the Duke of Grafton reported himself unable to stem a torrent which was swollen by the fusion of all the factions in Ireland; when the sacramental test could not be repealed, because the Catholics had so many friends in the House of Commons, and the dislike of Dissenters was stronger than the dread of Popery, the heads of a bill, if we are to believe the standard Irish historian, were introduced, carried, presented by the Speaker to the Lord Lieutenant in the name of the entire representative assembly, and by the Lord Lieutenant earnestly recommended to the Home Government, of so extraordinary a nature that, were the story true in the form in which it has come down to us, the attempt by an Englishman to understand the workings of Irish factions might well be abandoned as hopeless.

'In the year 1723,' says Plowden, 'the heads of a bill were prepared for the strengthening the Protestants with all the invective acrimony (*sic*) which infuriated fanaticism could devise. One blushes for the humanity of an Irish House of Commons, which, in satiating its lust for persecution, adopted unanimously a clause for castrating every Catholic clergyman that should be found in the realm. The bill, thus surcharged with this Gothic barbarism, was presented on the 15th of November to the Lord Lieutenant by the Commons at the Castle, and they most earnestly requested his Grace to *recommend the same in*

the most effectual manner to his majesty,[1] humbly hoping from his majesty's goodness, and his Grace's zeal for his service and the Protestant interest, that the same might be obtained to pass into a law. It was transmitted to England, and for the honour of humanity there suppressed with becoming indignation.' [2]

A statement, so positively made, has passed into the region of acknowledged certainties. It has been beaten into the metal of the historical thoroughfare, and being unquestioned has been moralized over by repentant liberal politicians as illustrating the baneful fruits of Protestant ascendancy. The Catholics, unlike the Dissenters, had a legally recognized existence. Such of their clergy as were registered, and had abjured the Pretender, had as much right to officiate in their chapels as the Lord Lieutenant's chaplain in the chapel in Dublin Castle. The registered Priests were described by Swift as Whigs, and supporters of the Hanoverian Government; and even against those who properly fell within their provisions, the existing penal laws were rarely or never put in force. Yet it has been believed without difficulty, and without enquiry, that suddenly, and without special provocation of any kind, a House of Commons more than usually well inclined to the Catholics, turned thus furiously upon all classes of their clergy, legal or illegal, and expected that England would reverse her policy and agree to a measure for the violent and immediate extinction of the Catholic religion in Ireland. It was observed in the *Commons' Journals*, that a bill of some kind on the subject was pre-

[1] The italics are Plowden's.

[2] *Historical View of the State of Ireland*, vol. i. p. 221.

BOOK IV.

1723

sented to the Viceroy, in the year which Plowden mentions, that it was sent to England, and that it was not returned. The traditionary account of its character was accepted as needing no investigation. The indignation of England was said to have been aroused, for it was the policy of the Irish Catholics to flatter England, as their defender against the domestic Protestant tyrants. Yet, if indignation was felt, it was unexpressed, for the Duke of Grafton was unaware of its existence. He did not even understand that the bill was rejected. He understood merely that it was postponed, and so little conscious was he that the heads contained anything unusual, that he enquired the reason why it had been laid aside, that he might explain what would be otherwise unintelligible.[1]

In widely credited historical fictions there is usually some chrysalis of fact which tradition has developed. In the present instance the imaginative part can be separated from the real with satisfactory completeness. Corresponding to the two classes of priests, the registered and the unregistered, there were, in the last century as in the present, two kinds of Irish Catholic policy. There were the quiet and moderate Catholics, who had had enough of rebellion and conspiracy; who wished only to live at peace on the remnant of their fortunes, and were contentedly loyal to a government which left them practically unmolested. There were the factions who fed continually on the recollection of their wrongs, 'and lived in constant hope of aid from the Catholic powers, to root out the

[1] 'By the last accounts from England I find the Popery Bill is postponed, which the gentlemen of this country having had very much at heart, I should be glad to learn the reasons which induced you to lay it aside, that I may explain, for the juncture is critical.'—'Duke of Grafton to Lord Carteret, January 22, 1724.' *MSS.* Record Office.

Protestants, and shake off the yoke of Great Britain.'[1] Of this party, the regular clergy, the Jesuits, the priests, who were trained in Spain, France, and Flanders, were the head and soul. In close correspondence with the Continent, receiving their directions from Rome or Flanders, or the mock court of the Pretender, they were the persistent enemies of the English settlement, the recruiting sergeants who gathered the thousands of eager Irish youths that were enlisted annually for the Catholic armies, the impassioned feeders of the dreams which were nourished in the national heart for the recovery of Ireland for the Irish race, the return of the Stuarts, and the expulsion of the detested Saxon. These were the originators of all the political troubles which continued to distract Ireland. The registered priests were, for the most part, orderly and well-disposed.

In Kerry, where the cause needed thorough-going men, they were put out of their cures as too soft and malleable, and their places taken by others of stronger national type,[2] who were the encouragers of the

[1] 'Address of Convocation, 1713.' *MSS.* Record Office.

[2] The unregistered priests were not universally of the disloyal sort. A curious picture of one of them is given by Mr. Dennis, of Kingsale, in a letter to Secretary Dawson. It was in 1714 when, in the alarm about the Pretender, special orders were sent to the magistrates to enforce the laws.

Mr. Dennis writes:—

'Kingsale, June 11.

'Sir,—Pursuant to the Lord Lieutenant's Council order, I seized and committed a priest, one father Noe Mulshinoge, who never was registered. He is a very old, decrepit man, and for four years past had scarce been able to stir with the gout. He's a drunken fellow, and was very serviceable to Protestants in King James's time, and constantly kept with, and to his power supported, them. He has behaved himself very civilly here since the trouble, and banished one Bishop Lyne, and several other of their clergy, who came here to reclaim him, and had they stayed it would have been in vain. He always went by the name of King William's priest, and, were it not for the sway that he bears over the Papists, I believe he'd be of another religion. I sent him twice

BOOK IV.

hougher and the ravisher, the smuggler and the Rapparee; whose business was to render futile the efforts of the English settlers to introduce order and enforce the law.[1]

to Cork gaol, and the judges sent him back like a bad penny. He has tendered bail, who are very responsible Protestants, that he in his time heartily served, which I've refused to take. Let me know whether I may take security for him. If he must be sent to Cork I must get a horse thither, for he's not able to go a mile.'—*MSS.* Dublin Castle.

[1] The activity of the unregistered priests in enlisting recruits for the Pretender appears in countless letters preserved in the Dublin Records. A series of depositions on the same subject are printed in the Journals of the Irish House of Commons for 1733. John Hennessey, late parish priest of Doneraile, said, 'that in August or September, 1729, he was in company with Connor Keefe, Popish Bishop of Limerick, Francis Lloyd, Bishop of Killaloe, and Doctor Stone, a Franciscan friar of Dublin, at the house of Teigue Macarty, Popish Bishop of Cork. On that occasion Keefe and Lloyd delivered a letter to Macarty, from Christopher Butler, titular Archbishop of Cashel, intimating the arrival of a letter from the Papal Nuncio at Brussels, to the effect, 'that the Pope had complied with the requests of the bishops and archbishops of Ireland, and that his Holiness had sent him an indulgence for ten years to raise a sum of money to restore King James to his right.'

Hennessey deposed that he soon after obtained a copy of the bull. 'Every communicant,' in virtue of that document, 'duly confessing and receiving on the patron days of every parish and every Sunday from May to September, having repeated the Lords Prayer five times, the Apostles' Creed once, and paying two pence each time, was to receive a plenary indulgence, with intent that God would speedily place King James on the throne of England.'

In the course of conversation Hennessey and his bishop had a dispute, 'as to the lawfulness or unlawfulness of running goods and robbing King George of his duties.' The Bishop 'held it no sin,' and permitted the priest to teach to that effect, saying, 'as King George had no right to the crown of these realms he had no right to the duties.'

Hennessey was one of the priests who wished to fraternise with Protestants, and was consequently obnoxious. The chapel congregation at Doneraile complained of him to the Bishop, as 'no better than a Protestant' himself. 'If Lucifer came out of hell,' they said, 'he could not carry more pride. His chief study, when he can get any pence, which he seldom can, is to hasten to the Protestants of Doneraile, and drink it in brandy and punch. We pray you, without delay, recall from us that wicked unfortunate Protestant priest John Hennessey, for the gentry and community does not care to hear his mass; and Mr. Morgan, lately complaining to my Lord

If English authority was to be maintained, it was fair and reasonable to distinguish between the registered and unregistered priests. To prohibit the teaching of rebellion and anarchy was not to interfere with religion; and if the chapels were to remain open, and if the laws intended to prevent the succession of the Catholic clergy were to be left in abeyance, the Government had a right to take care that indulgence was not made a cloak for treason. That the Catholic bishops, who took their inspiration from Rome, preferred the sort who would make themselves most politically useful, was a reason for using a tighter rein with them.[1]

From the day the penal laws were passed, the Government had been in growing embarrassment. They

Doneraile of his wicked courses, his answer was to complain to his superior.'

A Catholic parishioner appealing to a Protestant nobleman against his priest, and being referred by him to the Catholic bishop, whom, according to law, it was that nobleman's business to prosecute and transport, is sufficient evidence of the laxity with which the penal statutes were practically enforced.

[1] Warnings as to the character of these priests were continually reaching the Castle. In 1744, when the rebellion was known to be imminent, a certain W. D., who feared to give his name lest he should be murdered, wrote from Limerick to the Duke of Devonshire. 'There is one Peter Nayler, a parish priest and vicar-general of the diocese of Kilmacduagh, in county Galway, who, when he hears confessions, obliges his penitents to give him a certain sum of money in order to remit it to a foreign prince for his support, and tells them they are obliged in conscience to do it; and likewise he says, he can absolve them from any oaths of loyalty to the present King, and by this reason he may withdraw the subjects from the King and cause a rebellion. In county Clare likewise, one Mr. Michel O'Brien, vicar-general of Kilfenore, does the same. One Pat Dogherty, parish priest near Ennis, does the same, and five others. They stir up their penitents, and give them such hearts that they are willing to do anything rather than disoblige their pastors; and, my lord, unless you prevent this business the whole kingdom is in danger. All these gentlemen, both priests and friars, now living in this kingdom of Ireland, ought to swear allegiance publicly to the King.'—'W. D. to the Duke of Devonshire, January 30, 1744.' *MSS.* Dublin Castle.

BOOK IV.

had hoped that the terrors of the threatened penalties would prove sufficient; and even observers as keen-eyed as Swift expected, that when the existing generation of priests had died off, Popery would come to a natural end. Had the laws been enforced in Ireland as strictly as in England, the desired effect might have been produced. But the machinery of the constitution required the support of general opinion. In England popular sentiment was on the side of the law. In Ireland it was antagonistic. The police, or the army which would supply its place, had no existence; and the Government finding that they could not carry out the laws without violence, preferred, for the most part, to earn an idle popularity by affecting to hold them in suspense. On the eve of rebellion, as in 1714, they attempted fretful, irritating, and wholly ineffectual measures of temporary repression.[1] In the year preceding, when St. John and Harley desired to encourage the Jacobites, magistrates who made themselves officious were frowned upon. Nunneries and priories sprung up under the eyes of the officials, and interference of all kinds was steadily discountenanced.[2] Galway, one of the most important

[1] The magistrates at such times were utterly powerless. Mr. Crofton, of co. Leytrim, writes in 1714 to Secretary Budgell, that he had issued orders for arrests to be made. 'Yet I do not find,' he says, 'that any of the priests are taken. I know, indeed, it is very difficult—the much greater part of the country being Papists—to take any of the priests, or other ecclesiastical persons. The few Protestants in it are afraid of meddling with them, and I freely own it is my humble opinion, it will hardly ever be done here by that method.'—*MSS.* Dublin Castle.

[2] 'In the close of the late reign great discouragement was given by the then men in power to such as were active in suppressing friaries, and putting the laws against Popery in execution. Great numbers of friars have within these very few years come into the kingdom, and settled themselves in this country.'—'Representatives of the Grand Jury of Galway, 1715.' *MSS.* Dublin.

ports in Ireland, a place of so much consequence that exceptional laws had been passed to keep it in Protestant hands, was allowed nevertheless to become so exclusively Catholic, that there were no longer sufficient Protestant freeholders in the town to form a jury. The corporation, though they took the oaths, and, on entering their offices, went through a pretence of conformity, were Papists to a man. Priests, friars, and bishops landed openly there, remained without concealment under the protection of the mayor, and dispersed about the country at their leisure.[1]

On the accession of the House of Hanover, the anticipation was of an immediate rebellion; and, had the Pretender prospered better in Scotland, it would have been doubtless realized. Ormond was expected at Waterford, at the head of the Irish brigade. Itinerant fanatics wandered about, denouncing the Reformation, calling Luther and Calvin emissaries of Satan, inviting the Irish to draw their swords for country and religion, and either conquer or earn a place in Paradise.[2] The Dublin mob kept the Pretender's birthday annually with the national ceremonies of a procession and a faction fight. Before the new dynasty was fixed in its seat, some real though short-lived exertions were actually made to crush disloyalty, and especially to stop the inflowing torrent of priests from the continental seminaries. There were a few arrests; there were a few, but not so many, transportations. Gradually the fever died away. The difficulties were constant. Magistrates would not risk unpopularity. Juries refused to convict. The peasants declined to give evidence. The necessity

[1] *Irish Statutes*, 4 George I. cap. 15.

[2] 'Depositions relating to a Riot in Ulster.' *MSS.* Dublin Castle.

BOOK IV. 1723

for severity, on the other hand, seemed to disappear. The Catholic Powers recognized George the First. England, the great protector of French and Flemish Protestants, felt obliged to show equal respect to the intercession of her Catholic allies in favour of Irish Papists. As her fears subsided, she discovered, in the Duke of Newcastle's language, 'that it was not for the public service, even of the Protestant interest, that anything should be done that might alarm the Roman Catholic Powers with whom the King was in alliance.'

Secure at home, in the common strength of the Protestant spirit in England, George the First's ministers could consider these questions at their leisure. In Ireland, where the Protestants were few and scattered, the recollections of the 23rd of October were still uneffaced. To them a landing of Ormond or the Pretender implied, or might imply, confiscation and massacre. On them would fall the personal effects of a rising, the elements of which they knew to be seething in their midst. Between the Protestant gentry and the loyal Catholic clergy there was a steady increase of good feeling. 'The laws,' wrote an ardent Protestant in 1717, 'are too severe already.'[1] An idea was finding general favour that every parish should be allowed a priest, regularly licensed by the Government; a plain oath of allegiance to which no conscientious objection could be made, being the only condition. Arrangements were contemplated for the continuance of the succession, and salaries were spoken of for them to relieve the pressure on the people. The Regulars meanwhile, whom the more intelligent Catholics themselves 'regarded as a nuisance,' might then be 'totally extirpated' and the laws be really and

[1] 'Anonymous Common Place Book, 1717.' *MSS.* Record Office.

effectively executed, to keep out the disaffected and disloyal seminarists.[1] In proportion to the disposition to reconciliation with one section of the Catholic clergy, there was a corresponding determination to clear the country if possible of the others, and to permit no bishops and vicars-general, who absolved subjects from their allegiance, and taught the people that the King had no right to his customs duties. The true remedy, as they by this time knew, lay elsewhere than in penal laws—lay in an effective Church, enclosing in itself all Irish Protestants—lay in an education system co-extensive with the country, in a resident gentry conscious of their duties, and in the development of Irish industry. These things, however, required time. Of the best of them they were robbed by hard fortunes and English tyranny. Until the licensing system was fairly on foot they knew perfectly well that severe laws could seldom be enforced; but they thought that some deterring effect might be produced if the scarecrow were made a little more frightful.

The Duke of Bolton in opening Parliament in 1719 had urged very strongly the desirableness of more union among the Protestants in the presence of the increasing strength of the Papists, and of their notorious inclination to the Pretender. The animosity of Churchmen against what they called dissent, forbidding an approach to the Presbyterians, the House of Commons determined to weaken their enemies by an addition to the penal laws against the more mischievous of the clergy. The number of prelates, friars, and unregistered priests was daily growing larger. Prosecutions, which in nine cases out of ten

[1] 'Letters to the King: by Charles Hogg, December 10, 1723.' *MSS.* Record Office.

BOOK IV.

1719

broke down for want of evidence, yet if they succeeded, were almost as useless. The transported priest either went back to his seminary, and another came over in his place, or he returned himself to a part of the country where he was unknown. The law was thus defied with the confidence of certain impunity. These foreign priests 'were the fomenters of all rebellions and disturbances.' 'Unless a more effectual remedy could be found to prevent their coming into the kingdom,' Ireland, it was felt, 'would never be quiet or well affected to the Crown.'[1] A committee of the House of Commons therefore drew the heads of a bill which they considered would keep such persons at a safe distance, and among other clauses it contained a proposal that every unregistered priest or friar found remaining in the kingdom after May 1, 1720, might be branded with a hot iron in the cheek, as a mark by which he could be immediately identified.

Before it was transmitted to England the bill was reviewed by the Lord Lieutenant and the Privy Council. The Council, among whom was the Chancellor, Lord Midleton, and two Bishops, while most anxious for its success, considered that the penalty of branding was both too mild in itself and also that it would fail of its effect. The hot iron had been tried already for the Rapparees: 'the Rapparees had made it a common practice to brand innocent persons with the same mark, to destroy the distinction it was intended for.[2] These four or five noble Lords, therefore, did certainly recommend as a substitute for the iron a penalty,

[1] 'The Lords of the Irish Council to the Lords Justices of Great Britain, August 22, 1719.' *MSS.* Record Office.

[2] 'The Duke of Bolton to Secretary Craggs, August 25, 1719.' *MSS.* Record Office.

which was reported, rightly or wrongly, to have been used in Sweden with effect against the Jesuits. They did propose, not that all the Catholic clergy in Ireland, as Plowden says, but that unregistered priests and friars coming in from abroad should be liable to castration.[1] It was thought perhaps by those half dozen gentlemen, that the horrors of such a punishment would keep the persons against whom it was threatened from landing on the Irish shores. An impression possibly prevailed, that a mutilation which would have disqualified a man from receiving priests' orders would subsequently invalidate them. Whatever the motive, the Council did certainly, though with diffidence and hesitation, introduce this change into the proposed bill of the Parliament. The Duke of Bolton accompanied it with a letter, in which he confessed an expectation that it would not be accepted.[2] The Council themselves wrote, that 'they would gladly have found some other punishment which in their opinion would have remedied the evil.' They left the English Lords Justices either to replace the branding clause, or substitute some other penalty. They insisted only on 'the absolute necessity of making the law against unregistered priests and friars more severe than it was at present.'[3]

[1] Not certainly as implying a charge of immorality. Amidst the multitude of accusations which I have seen brought against the Irish priests of the last century I have never, save in a single instance, encountered a charge of unchastity. Rather the exceptional and signal purity of Irish Catholic women of the lower class, unparalleled probably in the civilized world, and not characteristic of the race which in the sixteenth century was no less distinguished for licentiousness, must be attributed wholly and entirely to the influence of the Catholic clergy.

[2] 'The Duke of Bolton to Secretary Craggs, August 25.' *MSS.* Record Office.

[3] 'The Lords of the Council to the Lords Justices, August 22, 1719.' *MSS.* Dublin Castle.

BOOK IV.

1719

There was no occasion, as Irish writers have suggested, for the interposition of Cardinal Fleury. The Irish Secretary himself wrote that the clause was of no consequence if the substance of the bill was allowed to pass.[1] Lord Stanhope at once struck it out as 'ridiculous.' Shorn of the grotesque appendage, it went back to Ireland, where it passed the House of Commons, but it was thrown out by the Lords on another section, which was held to bear too hardly on the estates of Catholic landowners.[2] The story that both Houses of the Irish Parliament desired that every priest in Ireland should be brutally mutilated is thus reduced to more modest dimensions. The House of Commons drew the heads of an act by which a class of Catholic clergy, whom they were legitimately anxious to keep out of the country, should be treated like vagrants and deserters. The unfortunate ingenuity of a handful of Lords and Bishops made an alteration which was contemptuously flung aside; and the bill, after the work had been undone, was lost after all in the Irish Upper House, as unjustly severe.

It will be answered that Plowden's narrative refers not to the viceroyalty of the Duke of Bolton in 1719, but to that of the Duke of Grafton in 1723.

[1] 'Mr. Webster to Secretary Delafaye, September 22.' *MSS.* Record Office.

[2] 'The Committee of the House of Lords have rejected the clause in the Popery Bill relating to reversionary leases. Thus all the rest is involved in the same fate. The clause was thought unjust, as giving a subsequent determination of the meaning of a former law, which did not plainly appear by the letter of it, since the retrospect was to reach such reversionary leases as had been made on a supposition that the former law had left them such a liberty. . . It is a great misfortune.'—'The Duke of Bolton to Secretary Craggs, October 31, 1719.' *MSS.* Record Office.

It is true that an attempt to revive the lost bill was made four years later, not with, but without, the sensational proposition; and it was made at the invitation of England herself, and for a special reason, in one of those bursts of alarm and anger which have periodically provoked English statesmen into acts of spasmodic severity. Bishop Atterbury, after seven years of restless efforts to bring about an invasion of Ireland by a Spanish force under the Duke of Ormond, had, in 1722, laid a plot to seize the Tower and the bank, and to proclaim the Pretender in London. General Dillon, an Irish Catholic in the French service, was to land in England with some thousands of the Irish brigade. Ormond was, if possible, to carry out at the same moment his design on his own country. The plot was discovered. Irish priests were found as usual to have been the most active instruments in carrying on the correspondence. The English Government awoke to the necessity of cooling down these feverish spirits; and the Duke of Grafton, in opening the Irish Parliament in 1723, dwelt in his speech on the perils to religion and liberty which had been so nearly escaped; and he expressed a hope that duty, patriotism, and the just detestation of such wicked and unnatural contrivances would animate both Houses to give the world an evidence of their loyalty. The King's only object for Ireland, he said, was to make it a happy Protestant country. The Parliament, he trusted, would give its serious attention to provide laws for strengthening the Protestant interest, and prosecuting more effectually those already in being against the Catholic priests, whose numbers were notoriously increased.[1]

[1] 'Speech of the Lord Lieutenant, August 29, 1723.' *Commons' Journals.*

BOOK IV. 1723

The responsibility of the initiation was thus assumed by Walpole's cabinet. The Irish Commons, so exhorted, passed a series of resolutions against the connivance of magistrates, false conversions, and pretended conformity, by which the penal laws were systematically evaded. They then took up again the lost bill of 1719. Lord Fitzwilliam and other gentlemen, whose properties were affected by it, and whose interest had thrown it out, were heard in objection at the bar of the House. After long discussion the heads were agreed upon and were presented by the Speaker to the Viceroy, as Plowden says, with a special request that he would recommend them to the consideration of the Government. The Duke replied that he had so much at heart a matter which he had himself advised, that the Commons might depend on his respecting their wishes. The Council, warned by experience, attempted no second alterations. The nature of the penalties was left apparently for England to decide, for the Council this time insisted merely on the need of 'some effectual means' to stop the influx of priests; and requested Walpole, Townshend, and Stanhope to determine what those means should be.[1]

The 'Wood' hurricane was at this moment unfortunately at its height, and absorbed by its violence every other consideration. Embarrassed by the larger problem, the English Government had no leisure to consider the difficult question of dealing with the unregistered priests. The bill was laid aside, not rejected, but merely postponed, and before another session the alarm had subsided. But that there was

[1] The words referring to the penalty are merely 'That some more effectual remedy to prevent these great evils is, in our opinion, absolutely necessary.'—'Sketch of Heads of Popery Bill, Council Chamber, Dublin, December, 1723.' *MSS.* Record Office.

no collision between the two countries, and no divergence of opinion; and that the Irish Catholics have no reason on this occasion to thank Walpole for standing between them and their Protestant oppressors, may be concluded with certainty from the Duke of Grafton's words at the prorogation. He insisted, as strongly as at the opening, on the need of a vigorous execution of the laws already existing, to the neglect of which the increase of priests was due. For himself he promised to contribute his part by giving directions that, for the future, such persons only should be put in the commission of the peace as had distinguished themselves by steady adherence to the Protestant interest.[1]

[1] *Commons' Journals*, Feb. 12, 1724.

SECTION V.

BOOK IV. 1725

So ended the last attempt to punish, by penal laws, the unregistered Catholic clergy as such. 'Weariness of the struggle and the mildness of the Government determined that the conversion of the nation should be left to time, unless the priests should be mad enough to give fresh provocation.'[1] 'The Irish people,' it was thought (and the words are a remarkable tribute to the value of authority in Ireland, however imperfectly it was exerted), 'the Irish people were more docile and less obstinate than either the Scotch or Welsh, and, had the same pains been taken to convert them which were used in Wales and Scotland, Ireland would have long since become Protestant.'[2] The object of intelligent people thenceforward was to find a means of reconciling the loyal priests and the Government, and subsidizing a power which had proved too strong to be violently overthrown.[3]

Many bills, or attempted bills, directed at the curtailment of Catholic influence, bills to prevent intermarriages between Catholics and Protestants, bills to annul clandestine marriages accompanied with violence and rape, bills to prevent the intrusion of false converts into public employments or seats in the

[1] *Reflexions for the Gentlemen of Ireland.* Dublin, 1738.

[2] *Ibid.*

[3] 'Possibly it might be a good plan to abolish the payments of dues, offerings, and fees, from the poor Papists to the priests, and settle salaries for them. Their interests would then be closely tied to those of the state, and they might be managed like cannons, whose mouths are still pointed as they please who fill their bellies.' —*Ibid.*

House of Commons, bills to check the practising of Catholic solicitors, can be traced for another generation in the records of the Irish Parliament. But the real feeling of the Protestant gentry on this momentous subject was from the present period rapidly changing. A signal evidence of the alteration remains in a sermon preached before the House of Commons, which received the thanks of the House, and was printed by order, at the very time when, if tradition spoke truly, both Peers and Commons were endeavouring to force a measure upon the country which would have placed the Protestants of Ireland on a level of barbarity with Spanish inquisitors. The preacher was Doctor Synge, Chancellor of St. Patrick's, afterwards Bishop of Clonfert. The occasion was the 23rd of October, the anniversary of the Irish St. Bartholomew day. The year was 1725. The text was the 23rd of the 14th of St. Luke, 'Compel them to come in:' the subject, the legitimacy of compulsion, as applied to conscience.

'Ireland and England,' the preacher said, 'are in that peculiar position that many of those who have enjoyed the protection of the Government are only watching their opportunity to overthrow it. The conspiracies against Queen Elizabeth, the Gunpowder Plot, the dreadful massacres of this day, are so many evidences of what is plain from history. For this reason the wisdom of the legislature has thought it necessary to frame several laws to weaken the power and interest of the Catholics of Ireland, and because these laws do not answer the end proposed, others more severe may come hereafter to be tried.

'Self-preservation is the first law of life, but laws of this kind are liable to one objection, which in the

BOOK IV. 1725

opinion of many persons is fatal; that the cause of division being a difference of religion, no laws can be formed on such a subject without invading the natural liberties of conscience. Since the design of the legislature in appointing the anniversary thanksgiving on this day is to perpetuate the memory of a barbarous and cruel conspiracy, and the dreadful effects on the Protestants of Ireland produced even by a partial execution of it, it will not be amiss to consider this objection, and enquire what influence it should be allowed to have.

'The principles of the Church of Rome on this subject are confessed. That Church regards heresy as a crime which it has a right to punish with death. Some Protestants have held the same opinion. Hobbes has maintained that the civil power may define the national religion. Men may think what they please, but, in the expression of their thoughts, they must conform to the law. For myself I conclude that, if we consider men's opinions and practices in religion with respect only to the Christian law, neither the governors of the Church, nor the civil magistrates, have a right to use force to restrain or punish them. Heresy may, or may not, be a crime in itself, but the civil magistrate may punish only those forms of crime which are visibly injurious, such as theft, adultery, or murder; and all persons whose social principles have no tendency to hurt the public are entitled to toleration. Repression in such cases leads only to faction and sedition. The religion is not to blame, but the persecution employed against it; and the remedy is, not to increase the severities, but entirely remove them. There are, however, some false principles in religion which the civil magistrate is

CHAP. I.

1725

compelled to notice. The general opinion is, that religions are not to be tolerated which seem destructive to society, and on this principle Irish legislation has proceeded. It is a position which I cannot accept, and for this reason. I distinguish between inward principles and outward actions. All are agreed that the plea of conscience will not cover crime. If conscience erring invincibly prompts a man to do a wicked action, it may perhaps excuse him in the sight of God; but as man cannot distinguish between the pretence and the reality, those who are guilty of treason must suffer as traitors. The question is, however, whether when men have adopted principles into their religion which formerly have influenced others, and may probable influence them again, to engage in designs destructive of the public good, the magistrates ought not to refuse to persons of that erroneous religion liberty to worship God according to their consciences.

'In favour of toleration it is said broadly, that the refusal is unlawful, and does more harm than good. The magistrate has nothing to do with opinion. To prevent men from meeting for religious purposes is practically impossible, and therefore the less it is tried the better. You have to consider whether a limited toleration under the civil magistrate is not on the whole a more likely means to prevent the evil consequences of bad principles than a total denial of it.

'The magistrate[1] is bound to provide for the public security; but he has remedies of another kind, which will be effectual to his end. He may make laws to limit the property of the professors of a false religion,

[1] This is particularly to be attended to, for it indicates the direction in which intelligent Irish opinion was running.

BOOK IV. 1725

to divide it into several hands, and to hinder them from making new acquisitions which in kind or degree may be dangerous. Though men's religion be their own concern exclusively, their property, so long as they continue members of society, is and must be subject to the supreme powers. It may be taken from them either in whole or in part, and the right of acquiring more be abridged when public good requires. The richest merchandize may be destroyed when there is danger of infection. Houses may be demolished to check a conflagration. Agrarian and sumptuary laws limit men's rights of enlarging their possessions. Yet laws of this kind were never accounted unjust. The magistrate too may provide means of instruction. He may establish schools under public inspection, and so provide for the natural disappearance of the evil in another generation. If these means fail, he has a further remedy, which though violent is, in cases of extremity, undoubtedly lawful. He may oblige such persons to leave the country, and remove out of a society which they will not allow to remain in peace. If it be objected that men will dissemble under such conditions, rather than leave their homes, the answer is that these means may be adopted only as a last resort when nothing else will serve.'

Having laid down these general principles, Doctor Synge concluded by applying them.

'The Catholics,' he said, 'do in fact hold doctrines pernicious and dangerous to the public peace. They maintain it to be not only lawful but right to extirpate heretics, and they must therefore inevitably and at all times be enemies to a Protestant government. They hold the detestable maxim, *Nulla fides servanda cum hereticis*. They insist that the Pope has

power to excommunicate and depose heretical princes, and absolve subjects from their allegiance, and at this moment they regard another, and not his majesty, to be lawful King of England. Against persons holding these opinions we have a right to protect ourselves. The best remedy would be to convert them, not outwardly, which does more harm than good, but inwardly and really. We should see to the encouragement of true religion, and the education of children. Further, we must distinguish between Catholics who at heart adhere to these dangerous principles, and Catholics who, though continuing in that communion, are ready to disclaim and renounce them. All who will make these concessions, we are bound to tolerate. We shall then hear no more of tyranny over consciences; and those who afterwards incur the penalties of the law must, themselves being judges, be owned to suffer not as persons professing the Romish religion, but as persons who refuse to give the Government a fair and reasonable security for their being loyal and peaceable subjects.'[1]

The House of Commons, in thanking the Chancellor of St. Patrick's for his sermon, accepted his principles as their own. The House of Lords, on the 3rd of the ensuing December, passed a resolution, 'that the most probable way to restrain Popish priests and regulars from coming into the kingdom, would be to allow a competent number of secular priests to exercise their functions under such regulations as might be for the security of the civil state.' Dr. Synge, referring to

[1] 'Sermon preached before the House of Commons at St. Andrew's Church, Dublin, October 23, 1725. By Doctor Edward Synge;' for which Dr. Synge received the thanks of the House. Published by order. Abridged.

BOOK IV.

1725

this vote of the Peers, in a reply to an attack made upon him by a Protestant fanatic, argued that if a sufficient supply of priests was permitted by the law, the temptation to encourage others would be removed; such of them as were recognized would combine to keep out the rest: and the question for the Government to consider was, whether it was more prudent, more convenient, more for the interests of religion and the commonwealth, to have five hundred secular priests educated in countries and universities where the violent views of the Jesuits were not received, making, on their admission, a complete renunciation of the extravagant claims of the Papacy, and taking the oaths of allegiance and abjuration; or to have two thousand, for the most part regulars, lurking in holes and corners, educated where the most extravagant doctrines were most in request, never renouncing them, and giving the state no security for their good behaviour.[1]

If the scheme thus sketched was never carried into effect, the fault was less in the Irish legislature than in the inherent difficulties of the subject. The establishment, for to this it must have amounted, of the Catholic Church in Ireland, would have probably involved the expatriation of the Irish Catholic episcopate. The five hundred priests would have been ordained abroad, and admitted only as they were wanted to supply vacancies. If those objections could have been overcome, the consent would still have been required of the English Parliament, and would probably have been asked for in vain. An end, however, which was not to be obtained directly, was procured less satisfactorily by continued connivance.

[1] Reply to Mr. Radcliff, by Dr. Synge.

The hierarchy was left undisturbed, and an understanding gradually grew up, that the Bishops should give practical assistance to a Government which was on the whole so lenient. The educated Irish Catholics began from this time to forget their disloyalty. Among the state papers preserved in Dublin is an examination of a Bishop in the year 1745, whose name is disguised behind initials, and those probably incorrect. He was questioned as to an intention of insurrection. He was able to assure the Government that there was none. He had himself, in his diocese, discouraged 'externes,' as the foreign priests were called; he had kept the Jesuits at arm's length, and suppressed convents and friaries more effectively than the county magistrates could have done all combined. Conspiracy, he said, there could be none of which he could be left in ignorance. And, 'if he knew of any practices,' he promised to give notice to the authorities at the Castle.[1]

[1] 'Examination of N. S., 1745.' Dublin, *MSS.* The Bishop, whoever he was, gives curious particulars as to the condition and organization of the Irish priesthood.

At that time there were twenty-four bishops and archbishops. The Pope appointed them, sometimes at the postulation of the priests of the diocese. N. S. had been a parish priest for twenty-six years before he was made a bishop. He had his orders in Spain; ordination in Ireland being, he said, unusual. The friars were governed by their own provincials, who, if necessary, could inflict corporal punishment on them. He himself, though a bishop, retained his parish, and had two curates to help him. They must have all been very poor, and made the burden of their maintenance as light as possible.

'In his parish, he said, 'some gave him five shillings and five pence, some one shilling and a penny, some sixpence halfpenny. In some parishes the priests got only corn and bread, and other little things. Collections were made on Sundays. In his parish he got half the collections and the friars of a religious house the other. He had thirty-two priests under him. They gave him a guinea each at the distribution of the oils. His income from his parish was forty pounds a year, of which he gave a third to his coadjutors. The collections at his chapel door were about sixteen shillings a year. His parish was the best in the diocese. Common parishes were worth thirty or thirty five pounds a-year—no more.

CHAPTER II.

PROGRESS OF ANARCHY.

SECTION I.

BOOK IV.

THERE are four systems under which a dependent people may be held together under the forms of a coherent society.

They may be governed wisely and firmly under a rule impartially just, by the laws, so far as intellect can discern them, appointed by the Maker of the world.

They may be governed, without justice, by superior force, which considers nothing but its own will.

They may be left to govern themselves according to such ideas as to the majority of them seem good, authority claiming nothing but political allegiance, and maintaining a police to repress the grosser form of crimes.

And, lastly, they may be 'managed' by adroit handling, the internal factions being played off one against the other; while the central authority prevents violent collisions, maintains a general equipoise, and dissolves dangerous combinations by 'corruption' and influence.

The first of these methods, which succeeds always and in all countries, is the most rarely tried, because it implies virtues which are rare at all times, and especially rare in men in power—self-denial, patience, wisdom, courage, the subordination of the rulers themselves to the rules which they impose on others.

The English, under the high impulse of Puritanism, attempted it once in Ireland, but for the few years only, during which they endured for themselves the moral restraint of deep and noble convictions. When they ceased to govern themselves nobly, they were no longer able to govern Ireland nobly; and after a short-lived experiment gave up the effort.

The second method, coercion without justice, became the rule in Ireland at the Revolution. This too, if carried out, might have been successful in keeping the Irish in subjection. Being a people incapable of self-restraint, the Celtic peoples are and always have been pre-eminently amenable to an authority which dares to assert itself. But coercion implied force; force, or forces—a large and disciplined army; and England, free herself, imagined that she could coerce Ireland under the forms of her own constitution, and refused to supply materials of despotism which might be dangerous to herself.

Coercion failed for want of strength. Self-government of a real kind, self-government, accompanied by the enfranchisement of the Catholics and Dissenters, it was dangerous to try. No one indeed as yet thought of trying it in a country where nine-tenths of the land had been taken violently from the old proprietors, whose crime had been to challenge for Ireland her right to her own laws and her own creed.

There remained, therefore, the last expedient, the easiest and also the worst: the policy, if so base a system may be honoured by such a name, which had been tried already by the Plantagenet and Tudor sovereigns, and had produced a condition of society in which order and morality were words without meaning, and out of which, in the vision of the

BOOK IV.

saint, human souls were seen descending into hell as thick as hail showers. This method, set upon its feet once more, became again the rule, till misgovernment produced its inevitable fruits—agrarian conspiracies, mock patriotism, rebellion, and the still weltering chaos of discontent and disloyalty.

The attempt to prevent, by unexecuted threats, the continuance of the priesthood and the Catholic hierarchy having decisively failed, the next object of English statesmen was to disarm their hostility and detach them from the cause of the Pretender. The change of view was natural and not indefensible. Catholicism in Europe was losing its political character. New principles of combination, with new objects, were forming themselves between the leading powers, and a Catholic crusade against Protestantism was ceasing to be possible. The adherence of the Irish to the Papacy was no longer necessarily dangerous. England might be at war with France, and yet France, if care was taken to keep the priests in good humour, need no longer as a matter of course find an ally in Irish disaffection. The same influences might be made available to neutralize domestic discontent. To promote the prosperity of Ireland was not a matter which presented itself as a duty to an English administration, whatever its political complexion otherwise. The poorer the country could be kept the less likelihood there was of its being troublesome. The only anxiety was to preserve outward quiet, to secure the voting of the supplies, and to suppress Parliamentary mutinies which might threaten the commercial monopolies. The agitation which England had most to fear was among the Protestants, whose manufactures had been ruined, and whose

energies there was a determination to repress. The Catholic population formed a counterpoise which it was convenient to keep in good humour, while to protect them from persecution was an easy compliment to Catholic allies on the Continent. In effect, therefore, under the two first Georges, English statesmen said to the Irish priesthood, 'We will defend you from the penal laws if you in turn will discountenance the agitation from Ormond and the Pretender. If you will be loyal to England, we will take care to shield you from Protestant ascendancy.' The simplest method would have been to modify the laws; and the Irish Parliament itself would have gladly consented to some arrangement by which the priesthood could have had a recognized existence. But no hint can be traced among the English state papers of any such desire. The state of English opinion might perhaps have made an alteration of the penal statutes impossible; perhaps their continued maintenance was essential to the continuance of Catholic gratitude.

This ambiguous handling, however, though convenient to Walpole and Newcastle, was less satisfactory to the Protestants of Ireland. They had been planted as a garrison in a hostile country. They had been set to rule on principles which, unless acted upon with sufficient consistency to destroy the creed at which they were aimed, were an enduring and yet useless insult; and they saw the professors of that creed recovering strength and numbers, and re-acquiring wealth and consistency. They were in possession of the estates of the native proprietors, who had lost them in defence of their religion; and the toleration of that religion was a quasi-confession that the confiscation had been an unrighteous act. Their position

BOOK IV.

was the more cruel because viceroy after viceroy, in the speeches from the throne, continued to urge Parliament to enforce the penal laws, while in private those same viceroys were obliged to forbid them to be enforced. Carteret, in 1725, reminded the Lords and Commons, that as all Protestants in Ireland had but one common interest, so they had often too fatally experienced that they had one common enemy. In 1727 Carteret again urged the execution of the law to prevent the coming in of priests from abroad. In 1726, in the interval between those two speeches, he was instructed by Newcastle, 'that nothing must be done to alarm the Catholic powers with whom England was in alliance.'[1] The Duke of Dorset, in 1731, recommended the Legislature 'to consider what further laws were needed to prevent the growth of Popery and secure them from danger from the number of Papists in the kingdom.' Yet when the heads of a bill were sent over for a purpose, it was set aside as unusual; and at that very moment, and before and after, in defiance of repeated promises and two Irish Acts of Parliament, the English Government was daily receiving and granting petitions to the representatives of dispossessed families for a reversal of their attainders, which gave them a right to recover their lands. In 1740 as many as eighty suits were pending in the Irish Courts against Protestant landowners in the county of Cork alone, who had purchased their estates under the security of a Parliamentary title, and of an act specially declaring that no attainders should be reversed without Parliament's consent.[2] The purchasers were half-ruined in defend-

[1] 'Newcastle to Carteret, February 24, 1726.' *MSS.* Record Office.

[2] *Commons' Journals*, Ireland, Feb. 8, 1740.

ing themselves even when they gained their suits. Families who had been in undisturbed possession for fifty or sixty years found themselves turned adrift and penniless. Indeed, as the Irish Bar was constructed, they had scarcely better hope of justice than under Tyrconnel himself; for the practice of the courts was almost exclusively in the hands of converts who were Protestants but in name, of men who had been Catholics in London, took the sacrament once on their way to Dublin, and were admitted to plead on the strength of it, but were essentially Catholics always, and devoted their whole services to the party to which at heart they belonged.[1]

Since Romanism was to continue, it became necessary to define more sharply the terms on which it was to exist, and to take measures to secure the lives and fortunes of the colonists from being sacrificed to English compromises, or the Catholic birds of prey in the Four Courts. Catholics who consented to abjure the Pretender had been hitherto admitted to the franchise. The rate of increase in the Protestant population was in itself smaller than among the Catholics, from their more prudent habits, and was further checked by the emigration. The disproportion of numbers threatened to throw into Catholic hands the control of half the constituencies in the southern provinces, and the privilege of voting was taken from them.[2]

The Government, in pursuance of their views of conciliation, since they could not by law appoint Catholics to the commission of the peace, selected from among the Protestants those gentleman who would be

[1] 'Archbishop Boulter to Newcastle, March 7, 1728.' *MSS.* Record Office.

[2] 1 George II. cap. ix. *Irish Statutes.*

BOOK IV.

most agreeable to the Catholics: recent converts whose faith was from the lips outwards; men whose wives were Catholic, whose children were bred in the creed of their mothers. A committee of the House of Commons stated, that while this practice continued the peace of the country could not be preserved. Conciliation so followed gave the administration of the laws to ruffians whom the laws rather should have been a whip to scourge.[1]

The heads of a bill were prepared, providing that no convert should be admitted to office under the crown if his family were brought up as Catholics,

[1] The difficulty of finding competent magistrates was one of the most pernicious results of absenteeism. Had the great landowners remained at their posts the Government would have had no excuse for passing them over, or putting power into the hands of such a person as is described in the following story:—In the year 1729 Mr. Hubert Burke, a professing Protestant, was a magistrate at Loughrea, and in that capacity entertained the collector of the revenue when he came to gather the hearth-money. Mr. Bagwell, such was the collector's name, was lying one winter's night in bed at Burke's house when Burke's eldest son came drunk into the room with a fiddler and a servant, and held a candle to the collector's nose.

Springing out of bed Bagwell snatched a stick out of young Burke's hands, bade him leave the room, and after a scuffle drove him out and locked the door.

In the morning young Burke sent Bagwell a challenge. Bagwell replied that he was in Loughrea on the service of the Government. He had neither time nor inclination for such fool's play as duelling, and sent the messenger about his business.

Upon this the family chose to consider that they had been grossly insulted. Ancient habits and manners lingered in Galway. The old gentleman informed his son, that 'if he did not bring him gentleman's or kerne's or churl's satisfaction' out of a man who had struck a Burke, he would never own him more.

The youth promised obedience. In the evening he collected a party of ruffians in the yard, sent in word to the collector that some one wanted to speak with him, and when he appeared set upon him with a loaded whip, broke his skull, and left him for dead.

A commissioner of the revenue in the neighbourhood, hearing of Mr. Bagwell's treatment, applied for a company of soldiers from Portumna barracks to take young Burke prisoner, and bring him to Dublin for trial. A civil warrant, he said, would be useless, *for the offender's father, being a magistrate,*

nor till seven years after his conversion. England attempted resistance, but was eventually obliged to comply. The condition of the bar offering a strong temptation to the heirs of pardoned families to sue for recovery of their estates, the heads of a similar bill affecting barristers and solicitors were sent over in 1727, backed with the earnest recommendation of Archbishop Boulter. The bill had been drawn by his advice so as not to touch Papists, but only persons calling themselves Protestants; 'foreign ministers therefore, he said, could not with decency object.'[1] Foreign ministers did not, in the present instance, constitute the difficulty. England was deliberately undoing the efforts of past legislation in favour of the Catholics for its own immediate convenience. The Solicitors and Barristers Bill was refused. It was again sent over in 1731, and again rejected. The Irish Parliament, however, was determined. In 1734, on the third trial, England gave way; and it became the law of Ireland that no one should practise as a solicitor who had not been a Protestant from his 14th year, or unless he had been five years articled to some clerk in chancery in England or Ireland.[2]

could procure any number of villains to prevent it from being executed. Were 'a Burke tried at the Galway assizes he had so many relations and namesakes that no verdict could be procured against him.' Moreover, without soldiers, neither he nor his accomplices could be taken at all, or, if taken, be conveyed to the county gaol.—'Information of Samuel Bagwell taken before John Carr, Chief Commissioner of the Revenue.' *MSS.* Dublin, 1729.

Bagwell recovered from his broken head, but retained a bitter recollection of his adventure. In 1743 he writes from Tipperary, 'I have a large walk in this country, some parts of it being wild and well stocked with the vermin called Papists, who, I fear, will destroy me when I am amongst them upon my collection.'—'Samuel Bagwell to Secretary Poulton, March 14, 1743.' *MSS.* Dublin.

[1] 'The Primate to the Duke of Newcastle, March 7, 1728.' *MSS.* Record Office.

[2] 7 George II. cap. 5.

SECTION II.

BOOK IV.

1730

ANOTHER act, of still greater consequence, experienced a yet more significant opposition. The Irish Catholics, after the revolution, had been disarmed. With the semi-feudal habits which survived in Ireland far into the last century, it was the custom of Irish gentlemen to ride abroad themselves armed and attended by large numbers of servants with sword and pistols. In the absence of police, and amidst the still widely prevailing lawlessness, each householder was obliged to undertake the defence of his own home and family. An armoury and a supply of muskets and pikes formed part of the ordinary furniture of a country house. If no restrictions had been placed upon the Catholics, their numbers would have enabled them to extemporize a force which might rekindle the civil war. As a pledge for the security of the public peace, the right to possess arms in these large quantities was limited to those who were in fact its guardians, and Catholics were restricted to their fowling-pieces.

Galled by a distinction which was a badge of distrust and inferiority, and encouraged by the obvious determination of the English Government to paralyze the penal laws as far as Ireland would allow them, the Catholic gentry, at the beginning of the reign of George II., openly resumed their swords, and were believed to have collected stores of arms, like the Protestants, in their houses. The magistrates had a power by law to issue search warrants; but if they used such a power, they were likely to be murdered,

or burnt in their beds. If they escaped Irish vengeance, they fell under the displeasure of the English Government.[1] The memories of 1641 and of 1690 were still too recent for the Protestants to feel anything but dismay, if those who, in the speeches from the throne were still called their enemies, were allowed quietly to resume the means of destroying them. They were as a garrison set to hold a conquered country. Placed in a position which experience had shown to be supremely perilous, they had undertaken the service in return for the lands of which the inhabitants had been deprived, and they knew themselves to be the objects of the enduring hatred of the dispossessed proprietors. The means originally intended to complete the conquest had been abandoned. The policy pursued towards Irish industry had thinned their numbers, destroyed their employments, taken from them the only means by which Ireland could have been reconciled to their rule; and, because they dared to complain, the persons whom they were set in their places to control, who regarded the Protestant settlers as aliens and robbers, were being allowed quietly to recover the means of recommencing a struggle which at best would be bloody and dangerous.

In the summer of 1730, a Catholic gentleman was indicted at Galway for carrying arms in the streets. His religion was avowed; the fact was not disputed. The defence was that the Disarming Act applied only to persons who were alive at the time that it was passed, and on this ground he was acquitted.[2] The

[1] 'The Primate to the Duke of Newcastle, December 4, 1731.' *MSS.* Record Office.

[2] 'In fact,' says Boulter, 'it was drawn so ill as to leave room for that opinion.'

BOOK IV.

1730

Dublin Catholics at once put on their swords, at once carried pistols in their holsters; and, when they rode into the country, had their half-score or score of armed servants behind them. Two years later, as if deliberately to assert the re-establishment of their right, Lord Gormanston and one of the Barnwells, both Catholics, appeared with swords at the assizes at Trim.

They were both popular men, and against them individually there was no ill-feeling; but the grand jury, 'men of fortune, and several of them members of Parliament,' feeling that acquiescence would be a public sanction to the Galway interpretation of the law, met the challenge as boldly as it was made. Gormanston and Barnwell were indicted under the old Disarming Act, and the question was referred to the Dublin judges for decision. The Viceroy, then the Duke of Dorset, was absent in England. An attempt made by the Irish Parliament to pass an explanatory act had been defeated in England by the action of a Catholic agency there. The Catholics had been heard to boast that they could ensure the failure of all future attempts to take their weapons from them.[1]

The Lords Justices, the Primate, the Chancellor,

[1] 'Boulter to Newcastle, December 4, 1731.' *MSS.* Record Office. An investigation in the Irish House of Commons in 1733 revealed the means by which money was raised to defeat all bills in England which the Irish Catholics disapproved. They affected to believe that the attempt to disarm them implied an intention 'to extirpate their religion, and that it was not to be saved except by money.' Collections were made at the chapel doors all over Ireland. Dublin was the focus of the agitation, where the Catholics had confessedly least cause to complain. In the country there was inexplicable languor. 'I am sorry,' writes one of the Dublin committee to an agent in the south, 'that with all your exertions you can raise so little in the city and suburbs of so considerable a place as Cork, in the face of the terrible apprehensions most of us have. . . . We don't like pressing the clergy who are so poor, but the clergy should work on their flocks, and not leave the burden upon us who live at Dublin, who have much more just reason to be excused upon this occasion than those

and the Speaker of the House of Commons wrote to entreat the Viceroy that the law might be left to take its course, and that the opportunity might not be lost of enforcing respect to authority. Lord Gormanston's behaviour 'was considered by the grand jury as a defiance of the law in the face of the country.' 'The prosecution,' they said, in evident fear that they would be blamed, 'was not an act of the Government:' all that they had done had been 'to decline to interpose in the common course of justice.' 'They flattered themselves that it could not be taken amiss by any foreign court when truly informed of the circumstances, and of the great lenity generally shown to Catholics in Ireland.' The two offenders 'might not be convicted' after all; and, if they were convicted, the Government might pardon them if it was thought expedient.[1]

The trial was, perhaps, hurried over in anticipation of the expected answer from England. Gormanston and his companion were found guilty, apologized, and received a pardon, at the unanimous petition of the grand jury.

But the assertion of the law was deprived of its force by the imbecillity of the Viceroy and his masters.

who live remote from the Government, and are always soonest oppressed. I am sorry to find the gentlemen in most parts of the country do not show so great a regard to religion or liberty. We should have but little hope of putting out those bills here if we should have the misfortune of their returning from England without amendments. Our greatest efforts must be to stop them on that side. We want money, therefore, at once.'—'Wolf to Nagle, December 25, 1733.' *Commons' Journals*, December 19, 1733.

Walpole's Cabinet, it appears, took bribes as well as gave them. The necessity of providing money to stop bills, which were either just or unjust—which, if just, ought to have been returned—if unjust, to have been rejected on their demerits, adds the last touch to this detestable picture.

[1] 'The Lord Justices to the Duke of Dorset.' *MSS.* Dublin, 1733.

BOOK IV. 1730

The Disarming Act had not been rejected in order that, by the judges' construction, the existing statutes should be declared still to be in force. The Lords Justices were reprimanded for allowing the prosecution to be pressed; and Dorset confessed, in the terms of his reproof, that the administration of law in Ireland was dependent on the pleasure of the foreign Catholic Powers.

'I submit it to your Excellencies,' the Viceroy wrote, 'how this matter may be looked upon abroad, when a law made to prevent such disturbances from Papists as may affect the public peace and welfare of these kingdoms shall appear to have been executed with rigour at a time when all things are quiet and peaceable, and no danger could arise to the public tranquillity from the indiscretion of these gentlemen who presumed to wear swords without a licence.'[1]

The grand jury and the Lords Justices had desired only to intimate to the Catholics that the law was still binding upon them. They were made to understand that, whether it was binding or extinct, the Irish Catholics were not to be interfered with except in time of war, or when there was present imminence of rebellion. They were to be left undisturbed to prepare at their leisure for action when a foreign quarrel should give them an opportunity. The Irish Protestant gentlemen, on whose heads the tempest would fall, were unable to regard the proposal with the same equanimity. The treachery of England towards them compelled them to persevere in a course which tended more and more to embitter their relations with the people. They continued to insist on

[1] 'The Duke of Dorset to the Lords Justices, July 7, 1733.' *MSS.* Dublin Castle.

a disarming act as indispensable for Ireland's safety, and England continued to resist; until, in 1739, her ministers found themselves on the edge of a rupture with Spain. When danger brought them to their senses, they remembered that the Protestants formed after all the sole part of the population of Ireland on whose loyalty they could rely in time of trial, and wavered back to a policy of coercion, which was doubly galling because it had been so long suspended.

Encouraged by England's attitude towards them the Irish Catholics had begun naturally to hope for a complete repeal of each and all of their disabilities. In 1739 they presented an address to George the Second, thanking him for the toleration which they enjoyed, and professing the most ardent loyalty.

'They had a just abhorrence,' they said, 'for their forefathers' primitive actions.' They detested 'the thought of rebellion to aid a foreign power against his majesty's interests.' 'They had acquired fortunes by trade, which they desired to invest in land, and found themselves prevented by the severity of the law.' 'They were oppressed by idle and wicked vagrants informing against their titles, leases, and tenements;' and they had thought, they said, of emigrating to some country where 'they might reap the benefits of their labours,' 'and leave some stake in lands to their posterity which would secure them to be faithful subjects of the princes under whom they lived.' But they preferred, if it might be permitted, to remain loyal subjects of the English Crown. 'Money,' they said, 'laid out in improving a long lease' would be a security for their good behaviour; and more dependence could be placed on them when they had

BOOK IV.

1739

given a guarantee for their good conduct, than 'as long as they had their effects in their pockets.'[1]

The time was coming when the lesson of the Reformation would have been really learnt, when Catholic gentlemen would have discovered that, without abandoning their faith, they could be in truth and sincerity good subjects of a Protestant Government; that the Pope had neither in theory nor fact a right to meddle with their temporal allegiance. When religion was no longer made use of as a cloke or a palliation for political conspiracy, demands for the relaxation of the penal laws could be presented boldly, and could not be refused. But the experience of centuries was not to be set aside and obliterated by the good behaviour of one generation; and the revival of the old pretensions to control the policy of the Irish Government, which has been the fruit of completed toleration, raises a doubt whether concession was not after all premature. The suspicion attaching to the representatives of a creed which has dyed its garments in blood so deep as Romanism has done will only finally disappear when the heads of a Church which sanctioned the atrocities of the Inquisition has with equal solemnity condemned them. Earnest Catholics, at present, seem rather bent on justifying the fetters in which it was found necessary to chain them; they still refuse the acknowledgments which are due to the conscience of Europe; and, rather than make frank confession of their fathers' sins, they take refuge in dishonest evasions, or in audacious denials of the established truths of history.

[1] 'Address of the Roman Catholics of Ireland, September 26, 1739.' *MSS.* Record Office.

The Catholics who addressed themselves to George the Second were in a more wholesome frame of mind. The cowardice of modern Protestants, who disavow and condemn a policy which merits no blame and needs no apology, had not yet taught them how much they might dare with impunity. They could admit without disguise or shame their forefathers' guilt. They affected to believe, and, being humbled into good sense, perhaps they really felt that they had been treated with leniency. The day of emancipation was coming, coming as the gift in part of that very Irish Parliament which they now dreaded as their oppressor. But it had not come yet; nor was it by rapes and abductions, by houghing cattle, by perjured conversions, by juggling lawsuits, or by purchased advocacy in the back corners of the English Cabinet, that they would hasten its arrival. War was declared by England against Spain a month after the presentation of the petition. It was discovered that, while these gentlemen, on behalf of part of the Catholic community, were affecting so profound a loyalty, the flights of the Pretender's Wild Geese from the Kerry rivers were never more numerous. Letters intercepted from Irish residents in Spain shadowed out an intended invasion. Count Dillon was reported to be himself in Munster organizing an insurrection; and hot patriots declared 'nothing to be more certain than that a bloody war would break out all over Ireland in six months.'[1] The Duke of Devonshire, who succeeded Dorset in the viceroyalty, recognized and admitted a peculiar insolence in the Catholic attitude; and the necessity of listening to

[1] 'Bernard Ward to his father at Carrigham, Ross. From Madrid, August 29, 1739.' *MSS.* Record Office.

BOOK IV.

1740

the demand for the Disarming Act became apparent at last even at St. James's.

The Cabinet gave way, but so gave way as in yielding to secure themselves from Catholic resentment. Though legislation on the subject was confessed to be necessary, the Duke of Devonshire was not permitted to recommend it from the Throne. He was instructed to leave the initiative to the Irish Parliament, to take no part, and to avoid all appearance of taking part, 'that an answer might be the more easily given to foreign Princes who would interfere.'[1]

The Parliament accepted a responsibility which ought not to have been thus exclusively thrown upon it. Instead of the concessions which the petition of the Catholics demanded, the heads of a Disarming Bill were at once introduced. They were heard in Council in objection; their arguments were answered; and the Viceroy transmitted the bill to England with a story which showed conclusively that the time was not ripe for trusting the Irish nation with larger powers. A colony of Quakers in Kildare had celebrated the Fifth of November with the usual bonfire. Their chapel and an adjoining house were immediately burnt by a mob. A company of soldiers was sent to arrest the ringleaders in the outrage. The entire Catholic population rose in fury, swearing that all the Quakers and all the county of Kildare should not hang them; and a large military force alone saved Naas gaol from sharing the fate of the chapel.[2]

Rumours were flying that a Spanish camp had been

[1] 'The Duke of Devonshire to the Duke of Newcastle, October 12, 1739.' 'The Duke of Newcastle to the Duke of Devonshire, November 8, 1739.' *MSS.* Record Office.

[2] 'Devonshire to Newcastle, January 12, 1740.' *Ibid.*

formed in Gallicia. French officers were discovered enlisting recruits at Limerick; English regiments were being tampered with; and deserters had gone off with the Wild Geese.[1] The Government, too happy that the Irish Parliament had been bolder than themselves, returned the Bill, which was immediately passed. The depleted arsenals were again fully supplied. Authority once more dared to assert itself. Disaffection cowered again into its hiding-place with instant submissiveness; and to this one effort of resolution, after so long and so mischievous a struggle, Ireland owed the unbroken quiet in the rebellion of 1745, of which, by some absurd irony, the indulgent rule of Lord Chesterfield has gained the exclusive credit.

[1] 'Devonshire to Newcastle, March 18, 1740.'

SECTION III.

BOOK IV.

For the half century intervening between the Duke of Grafton's government and the revolt of the American colonies, Ireland was without a history. The fruits of misgovernment were steadily growing. Each year the seeds of future disorder were sown over a wider area. Each year the Celts grew stronger, the English Protestants more helpless to stem the evils which the wise among them too plainly perceived. Viceroy succeeded Viceroy, resided for a quarter or half a year while Parliament was sitting, and left the administration to Lords Justices, who, powerless for good, came gradually to value authority for the opportunities of patronage. England governed Ireland for what she deemed her own interest, making her calculation on the gross balance of her trade ledgers; and leaving her moral obligations to accumulate, as if right and wrong had been blotted out of the statute book of the universe. Ireland's great men—for great men were born in Ireland as elsewhere—drifted away out of a scene where no road was open to honourable aspiration. Her politicians were men who, for the most part, had no prospects elsewhere; her second best, for her best had made their homes in England. For fifty years there were no men in the Irish Parliament deserving to be called eminent. The periodic agitations were without defined purpose, and were the expressions merely of pain from chronic sores, which, day by day, grew more inflamed. Three-fifths of the rents were carried

to London or Bath, or the Continent, where the so-called gentry of Ireland forgot their duties, and concealed their nationality. Her aristocracy left their estates to agents, and if their bankers' balance was satisfactory, asked no questions as to how their dues were levied. Her men of talent, who should have given her a national art and a national literature, her distinguished lawyers and physicians, and men of science, passed to the country which offered fairer rewards to eminence, and social intercourse in which it was possible to feel at home. Ireland herself, cursed with a separate legislature, and with a nationality which revived under oppression, was drained of every element which could have given her firmness and consistency, and was left to flounder from calamity to calamity.[1] Rank, genius, wealth, intellectual cultivation, all, or almost all, that could have given vigour to her legislation, and tone to her society, forsook her. Her code of laws were an institute of anarchy, so administered as to turn authority into a jest, and so contrived as to make law a synonym of iniquity.

The more honour is due to the few families who, great in character or in rank, remained at their

[1] A condition apparently inevitable in all dependent countries in times when the first duty of man lies in the making and enjoying his own fortune. Rome prolonged her empire by recruiting from the provinces her bar, her senate, and her armies. Spain, Gaul, Africa, the East were all emasculated that Rome might be strong. Similarly at the present day men of business accumulate fortunes in Australia to spend them in London. Politicians win distinction in colonial legislatures as a step to greatness in the Imperial Parliament. Colonies which aspire to preserve their wealth and talents for themselves, will inevitably seek independence, unless they are identified with the mother country, and share with it to the full its glories and its privileges. There is no wholesome alternative between entire assimilation, and a separation so complete as to create a pride in a distinct nationality.

BOOK IV.

1729

stations—families in whom traditions of the past century were not yet wholly extinct, who recognized that they owned Irish soil for some better purpose than to squeeze materials of luxury out of the tillers of it. Yet even these were driven gradually into disaffection, as they saw their efforts to save their country blighted or cast aside.

With extreme difficulty they at last obtained their Tillage Bill, though shorn of the bounties which would have given it vitality. It was reduced to an injunction that out of every hundred acres of land in cultivation five must be under the plough; and, still more unfortunately, no means were provided to enforce even this obligation, the neglect of which brought the rising of the Whiteboys.[1]

Working on the foundation of the Charter Schools, they carried measures which needed only to have been executed to have swept poverty out of Ireland. In 1715, they passed an act empowering the ministers and churchwardens in every parish to apprentice children who are found begging to substantial Protestant housekeepers or tradesmen.[2] The parishes

[1] 'The Protestant absentee landlords treated their duties generally with a cynical completeness of contempt. The report of 1729 on the causes of the Protestant emigration from Ulster says, 'that their agents habitually let the lands by auction to the highest bidder; they turned Protestant tenants out of their holdings, without compensation for improvements, and let the farms to Catholics on short leases, and at rack rents.'—'Report on the Causes of the Emigration, June 6, 1729.' *MSS.* Record Office.

[2] 'Whereas there are in every part of this kingdom numbers of helpless children who are forced to beg, and, if care be not taken of their education, will become not only unprofitable but dangerous to their country; whereas it is hoped that many may be entertained in comfortable service, and others bred up in useful callings if well-disposed persons could have a fair prospect of receiving a return by the labour of poor children suitable to the charge of training them;' the act provides for the application of the general apprentice system, as it was in use in England.—2 George I. cap. 17.

were bound by the common law to support foundling and orphan children. It was found that to evade the cost the overseers thrust helpless little creatures under six years of age from parish to parish, and while the authorities were disputing over the charge of their maintenance, the objects of their cruelty often perished. Workhouses were established in consequence in Dublin, and afterwards in most other large towns, where the governors were required to take charge of such children, to educate them on the Charter School principles, and afterwards to bind them out.[1]

In 1729 the administration of justice in Ireland came under the notice of Parliament: the Mayor and Corporation of Dublin were found to be drawing a handsome revenue out of extortions practised upon prisoners. Out of thirteen aldermen, seven only acted as magistrates; and each of the seven had a gang of constables specially depending on him. Their clerks were provided with blank warrants, in which they entered what names they pleased, and by arresting innocent persons and extorting fees for the cost of detention, and afterwards for the favour of release, turned poorly paid offices into a source of abundant incomes for master and for man.[2]

Newgate was a crown prison. The master of it

[1] 3 George II. cap. 3. 9 George II. cap. 5.

[2] Here is a specimen out of many cases which came before the House of Commons:—

'John Bryan having lost some plate, and hearing from two constables of Alderman Bolton that one Margaret McCabe had stolen it, the alderman's clerk issued a warrant for her and her daughter, a child of eleven. They were arrested and taken, the child to Bridewell, and the mother to the Black Dog, the debtors' prison, where those who could pay for it were allowed what was called better treatment; the child as a favour was allowed to join her there. They were brought the next day before the alderman, when *nothing* being proved against them they were re-

BOOK IV.

1729

was a crown officer. It could scarcely be pleaded that a decent administration of the gaol could be dangerous to English trade; and, in the absence of difficulties on the score of trade, the Castle authorities might have been reasonably expected to see that these places were decently managed. The House of Commons had the merit of dragging to light the

leased, but not till the mother had paid the following bill:—

	£	s	d
To the alderman's clerk to remove her daughter from Bridewell to the Black Dog . .	0	2	8½
Fees and expenses for herself and daughter there . . .	0	11	0
To Alderman Bolton next day on being discharged . .	0	10	10
To his clerk at the same time. . . .	0	14	2
For liquors drunk at the clerk's house at her expense . . .	0	3	0
	£2	1	8½

The prisons were dens of infamy and extortion. The sheriff marshal, whose salary as keeper of Newgate was ten pounds a year, was found to make his place worth on average nearly 1,200*l.*

Newgate meant a dungeon, starvation, and irons. The sheriff marshal was allowed a separate gaol of his own called the Black Dog, the management of which he deputed to his sub-sheriff at 20*l.* a year. At both prisons he made a trade of 'vending liquors.' Each prisoner consigned, though but for a night, to the Black Dog was taxed two shillings for a treat, and, if he refused, was beaten and stripped. The charge for a bed was a shilling a night. Each room was a mere closet; and in many of these closets were five beds. In each bed three, four, or five persons were set to sleep if the place was crowded, and two shillings were extorted from each. The sheriff marshal's wife collected the rents. When a prisoner's money was gone he was passed down into a dungeon, lighted from a common sewer, 12 feet square and 8 feet high, called the Nunnery, where the strolling women were lodged. The place so stunk from the sewers, that the House of Commons committee could only remain long enough to measure the dimensions. Fourteen and sometimes twenty women were placed there of a night. If they attempted to come out for air and light they were beaten back.

Newgate, when the committee visited it, was found choking with prisoners. Wretched objects were lying naked on the ground, some dying, some dead of cold and hunger. Some had been four days without food of any kind. The committee enquired what allowance of bread was made to the crown prisoners, and found *that the custom of allowing bread had been for some time discontinued.* The stench among the naked starving felons was so intolerable that the committee fled after a stay of half a minute.—*Commons' Journals*, October 15, 1729, vol. viii. Appendix.

deadly evidence of shameful and insolent neglect, and, so far as lay in them, purged out and reformed the foul abuses which were found rampant there. Felons, after this, were regularly and rapidly transported, sold to planters in the colonies, and paid in their persons for the cost of sending them out.

Other more ordinary work, too, was not forgotten. Roads were made, which were the admiration of Arthur Young; canals were cut; bogs were drained; a new Parliament house was built, with both thrift and skill, for a fourth of the sum for which the same building could be erected to-day.[1] New streets and squares sprung up in Dublin, which, if without beauty, show in their stability, within and without, that the art of doing good work had been learnt, and not as yet cast aside. Glimpses show themselves at times, in the transactions of Parliament, of high spiritual aims. As late as 1771, the Commons made an attack upon drunkenness, and passed heads of a bill to suspend the whiskey distilling which, as they said, was demoralizing the country. Lord Townshend, then Viceroy, informed the English ministry that the House had the bill exceedingly at heart,[2] that it was generally popular, and would give content and satisfaction throughout the kingdom; and a measure which had no other object than to encourage sobriety would have actually passed into law had not England, in the capacity of guardian of human freedom, interfered. The dawning science of political economy had discovered that Governments are unconcerned with morality. Besides the interference with

[1] The entire cost scarcely exceeded 34,000*l*. See the *Commons' Journals*.

[2] 'Lord Townshend to the Earl of Rochfort, March 27, 1771.' *MSS.* Record Office.

BOOK IV.

1732

the natural liberty of the subject, it was found that, to pass the Bill, would involve a loss to the excise.

One other creditable measure has to be mentioned, which was not extorted from England or English jealousy, but from the bigotry of the bench of Bishops of both countries. The learned prelates, who denied the validity of Presbyterian marriages, and prosecuted kirk elders for concubinage, were so impressed with the solemnity of a sacrament performed by a competently ordained priest, that a ceremony by which a Protestant girl had been tied by force to any villain who had carried her off and ravished her, they persisted in regarding as an indissoluble bond. Until all such unions were declared null and void, no effort to check the practice was of the least avail. At length, in 1732, the Irish Bishops were brought to yield, and the heads of a satisfactory bill were sent over for approbation to London.[1] Objections were anticipated from 'their brethren in England;' and the expectation was too justly fulfilled. The bill was set aside, 'as of an extraordinary nature,'[2] and the ravishing continued merrily without interruption. In 1735, after some outrage more flagrant than usual, there was a partial concession. When the sufferer was a lady of fortune, the English

[1] 'I believe you know it is a common practice in Ireland for a tall, strong Papist to hurry away a pretty girl with a good fortune into the mountains, and there commit acts of horror and violation, and that the poor undone maid is glad at any rate to be made an honest woman. This is readily performed by the holy men who are at hand to assist their lay friends on such occasions. These outrages, besides many other evils arising from forced and clandestine marriages, have engaged the bench of Irish Bishops to come into this law. How it will be relished by their brethren in England you will have an opportunity to observe.'—'W. Cary to Secretary Delafaye, January 2, 1732.' *MSS.* Record Office.

[2] 'List of Irish bills rejected, February, 1732.' *Ibid.*

bench consented that, after a tedious and expensive suit in the ecclesiastical courts, a marriage might be set aside.[1] The distinction between rich and poor was felt to be odious. The House of Commons insisted, in 1743, that all such marriages should be, *ipso facto*, void. The Bishops resisted with the most determined obstinacy; they were willing to declare a separation by their own spiritual authority; they protested against 'disannulling a marriage.' The Commons declared that the principle had been conceded in the act already passed, and that farmers' daughters had as good a right to protection as heiresses.[2] The Bishops shut their ears. The struggle was protracted for two years, and it was not till 1745, under the viceroyalty of Lord Chesterfield, that their preposterous and grotesque resistance could be at last overcome. In a bill then drawn by the Commons, every marriage performed by a Popish priest between Protestant and Protestant, or between Protestant and Papist, was unreservedly declared to be null. The heads which contained these sweeping clauses were carried in the Commons without a dissentient voice. They were presented to Chesterfield by the Speaker, attended by the entire House. The Speaker represented that, by these marriages, more than by any other cause, Protestant settlements were broken up, family ties dissolved, and the worst specimens of the Catholic clergy supported and encouraged. Chesterfield himself endorsed the opinions of the Lower House.[3]

1743

[1] 9 George II. cap. 11.

[2] 'The Duke of Devonshire to the Duke of Newcastle, December 25.' 1743.

[3] 'Heads of a Bill, with Viceroy's and Council's Letter.' *MSS.* Dublin, 1745. 19 George II. cap. 13, *Irish Statutes.*

SECTION IV.

BOOK IV. 1747

In the country as well as in Dublin there were Protestant gentlemen who, so far as their strength extended, were making amends for the imbecility of the Government. Those who have read Arthur Young's 'Tour in Ireland,' have accompanied him to the houses of great Peers and Commoners, where stately manners, high motives, and refined intelligence were as conspicuous as in the noblest families of England; where the privileges of a ruling class produced the virtues of a true aristocracy, in contrast to the vices which degraded the baser members of the same order. Gross as was the degeneracy of the majority, a chosen few were still spending their fortunes in improving agriculture, in reclaiming mountain and morass, in building schools and churches, conscious of the duties which they owed to the people, and earning their gratitude and affectionate devotion by the unselfish fidelity with which those duties were discharged. Scattered thinly over the four provinces, the salt of the country, they continued, generation after generation, in brave and honourable execution of a work which brought its own reward with it: they sate enthroned in the imagination of the peasantry as their natural rulers; the Banshee wailed for them when they died; the 'good people' took them under their protection, as they in turn were the protectors of the poor. Out of these families have risen many of the most brilliant officers of the English army, the most illustrious ornaments of the

English House of Commons. In their own country, occasionally, we are brought face to face with one or other of them when selected in time of trouble for some special work of difficulty or danger: we are enabled to see the metal of which they were composed, and to admire the use which the Government thought fit to make of them.

Galway, lying on the Atlantic, with its open harbour, was the most vulnerable point of the island. Through Galway the priests had free egress and ingress. Galway was the second, if not the greatest, depôt of the smuggling trade. The Articles of Galway had left the Catholics in unbroken strength there. The Houghers had thinned the Protestant settlers. Whenever an invasion was contemplated, Galway was the spot where a foreign contingent was most sure of finding a favourable reception. 'The Protestant interest of Connaught,' said an Act of Parliament in 1717, depended on the loyalty of that single town, yet no care had been taken to strengthen the Protestant element there. As Galway was in 1717, so it continued, governed by a corporation of Catholics, who had perjured themselves as a qualification for office. The penal laws, neglected everywhere, were in Galway openly defied. The handful of troops in the castle were left to themselves, undisciplined and disorganized. Nunneries and friaries were multiplied. Smugglers loaded and unloaded at the quay. If, for decency's sake, on the appearance of a commissioner of the revenue, it was necessary to put on an appearance of energy, due notice to the offenders beforehand secured the futility of the search warrant. Although the country remained undisturbed in the rebellion of 1745, yet in the extreme west the Dis-

BOOK IV. 1747

arming Act had been enforced imperfectly. It had been long notorious that in Galway, as in Kerry, recruits and money had been regularly levied for the Pretender. Prudence required that the town should not be left entirely in the hands of the Pretender's friends, and, in 1747, an officer, who had served at Culloden, Colonel Stratford Eyre, son of Mr. Eyre, who had been governor of Galway in 1715, was sent by the Government to command there. Colonel Eyre, who had been born and educated in the country, understood the ways of it. He found himself set to defend a town of which the walls had not been repaired for a quarter of a century; the castle in ruins; the very name of military authority forgotten. By law no Catholics ought to have been in Galway at all. There were thirty Catholics there to one Protestant, and the Protestant was becoming Protestant but in name. There were 180 ecclesiastics, Jesuits, friars, and seculars. Robert Martin, owner of half Connemara, resided within the liberties, and was making a fortune by smuggling there. He was described by Eyre as 'able to bring to the town of Galway in twenty-four hours 800 villains as desperate and as absolutely at his devotion as Cameron of Lochiel.'[1]

The Mayor and Corporation, the fee-simple of whose united property did not amount to 1,000*l.*, received the tolls and customs duties. By their charter they were bound in return to maintain the fortifications. Being what they were, they preferred to divide the town revenue amongst themselves. The mayor, an O'Hara, was the son of Lord Tyrawley's footman; the sheriff was a beggar; of the aldermen one was a poor shoemaker, the other a broken

[1] 'Col. Eyre to Secretary Wayte, November 20, 1747.' *MSS.* Dublin.

dragoon. In conformity with the usual Castle policy, Colonel Eyre was directed to act in harmony with the civil authorities; on taking possession of his office he furnished the Secretary with a specimen of the manner in which the funds were appropriated by them.[1]

From the Corporation there was no help to be looked for; Colonel Eyre being made responsible for the town, had no leisure to wait till he could bring the Mayor and Aldermen to a sense of their duty. He re-established discipline in the garrison with a strong hand; he himself stopped the gaps in the walls where they had fallen down; and, taking the reins with a firm hand, he gave orders for the gates to be closed, as was usual in garrison towns, at sunset.

The Corporation had not laid open Galway to all comers, that a soldier from the army of the hated Duke of Cumberland should come thus amongst them, interfering with their pleasant habits, and making himself their master. They sent in a complaint, largely signed, against the innovation of the locked gates. The streets of Galway, they said, must be free at all hours of day and night, without sentinels,

[1] Last Saturday, the 20th of February, the Corporation of Galway gave their favourite, Mr. Fitzpatrick, for his services in supporting the rights of the corporation £900 0
To Mr. O'Hara for do. . 120 0
To Mr. Blake for his expenses in taking out a mandamus . . 45 10
To Mr. Cooke for defending the Corporation against the mandamus 91 0
To Mr. Miles for prosecuting Domenick Lynch for calling him a Papist £27 0
To Mr. Ellis for money he paid ten years ago on a contested election 27 0
Given to the farmers of the markets in the year 1744 on account of losses that year . 72 0
To Alderman Ch. Gerry for his services as chamberlain . . 192 0
MSS. Dublin Castle, February 27, 1747.

BOOK IV.

1747

or inconvenient persons, to restrain the citizens in their goings and comings.

Colonel Eyre, who was at no loss to understand their meaning, sent for them, and told them distinctly he could not comply. He was sent to Galway, he said, to restore discipline, and he meant to do it. Galway was a garrison town, and the rules of garrison towns should be enforced. No one would be really inconvenienced by the closing of the gates at sunset, except those who were breaking the law, either smugglers, or nuns and friars who had no right to be in Ireland, or else devotees who haunted their chapels. He declared distinctly that he did not mean to look through his fingers. He intended to do his own duty, and he intended also that they should do theirs.[1]

Here, evidently, was a man with the spirit in him of a true ruler; a man beyond all others fit to govern a people like the Irish; beyond all others certain, if not interfered with, to command their affection and

[1] Colonel Eyre's words have something of a Cromwellian ring about them.

'And now, gentlemen,' he continued, 'since you are here in your corporate capacity, I must recommend you to disperse those restless Popish ecclesiastics. Let me not meet them in every corner of the streets when I walk as I have done. No sham searches, Mr. Sheriff, as to my knowledge you lately made. Your birds were flown, but they left you cakes and wine to entertain yourselves withal. I shall send you, Mr. Mayor, a list of some insolent unregistered priests, who absolutely refused me to quarter my soldiers, and to my surprise you have billeted none on them. These and James Fitzgerald, who is also an unregistered priest, and had the insolence to solicit votes for his brother upon a prospect of a vacancy in Parliament, I expect you'll please to tender the oaths to, and proceed against on the Galway and Limerick Act. Let us unite together in keeping those turbulent disqualified townsmen in a due subjection. Lastly, gentlemen, I put you in mind of the condition on which tolls and customs are granted to you. Repair the breaches in these walls and pave your streets.' —'Speech at Galway, 1747, enclosed to Secretary Wayte.' *MSS.* Dublin.

obedience. Such a man England ought specially to have valued; but England's stomach had grown feeble. She had lost her nerve, and was frightened at shadows. Though Eyre spoke boldly his mind misgave him; he wrote to Secretary Wayte to entreat that the Castle would stand by him. He even determined to see the Viceroy himself, and was going to Dublin for the purpose. Being threatened with assassination,[1] and a day fixed for his death, he stayed in Galway unhappily till the date was past; and the delay was fatal. The Mayor was beforehand with him His Excellency, convinced of the moral excellence and innocent intentions of the Galway Corporation, overruled Eyre's orders, forbade him to interfere, by inconvenient restrictions, with the pursuits of the inhabitants; bade him understand, in short, that although if mischief came he might pay with his head for it, nevertheless, it was the pleasure of the Castle that nothing should be done which could give umbrage to the Catholics of Ireland.

The consequences were immediate and characteristic. The governor was at the mercy of the townsmen, and might now be insulted with impunity. A follower of Robert Martin, a Connemara boy, named Brennan, marched ostentatiously past the sentinel at the bridge, carrying a gun and pistol. The man being notoriously a Catholic, the sentinel took them

[1] 'Sir, as I had not the pleasure of seeing you since you came to your government of Galway, I hope soon to see you in the Elysian fields, as I am just going off the stage. And I am sure, if you don't leave that town, you'll lose your life before the 10th of next month. 'Tis all your own fault, for you could not bear the employment which you got, not for your bravery, but for the slaughter you committed on poor people after Culloden fight. You'll be served as Lord Lovat's agent was. God be merciful to your soul.'—'Anonymous letter enclosed by Eyre to Secretary Wayte, December 11, 1747.' *MSS.* Dublin.

BOOK IV.

1747

from him; and Eyre politely returned them to Martin with a message, that if he was sending arms into the town, he had better for the future send them by persons qualified to carry such things. Martin refused to receive back his property: Eyre, finding his courtesies rejected, declared that he would enforce the law, and confiscate both gun and pistol. The assizes were coming on, and Martin had the impertinence to serve a summons on the governor to appear before the judges, and answer to a charge of larceny.[1]

What else could have been expected? Enclosing this singular document to the Secretary, Eyre ventured to insist that it was the immediate consequence of his own treatment. If the law was to be thus openly insulted, he said, Government would become impossible, and neither the Popery Act, nor any other act, could be enforced in any part of Ireland. For himself, 'he could not stand his ground unless the restraint was taken off which the Lord Lieutenant had been pleased to lay on him.'

The eyes of the authorities remained unopened. Eyre continued governor of Galway, but confined practically to his military duties;[2] and with so plain

[1] Robert Martin, Esq., Pr.
Stratford Eyre, Esq. Dt. By the Lords Justices of assize for the Connaught circuit.

The defendant is hereby required personally to appear before us at 8 o'clock in Galway on the 6th of April next, to answer the prosecutor's bill for 5*l.* sterling, being the value of one gun and one pistol, being prosecutor's property, which defendant took and converted to his own use. Dated March 30, 1748. Signed by order,

E. Butler, L. Mears, } registrars.

Dublin MSS.

[2] A party of Frenchmen came to Galway on an unknown errand, and lay for some time concealed in a convent. They had landed without passports or credentials. Eyre sent for them to come to him. They refused, and he arrested them. The mayor immediately took them out of his hands, and 'in the presence of the prisoners threatened to commit him if he interfered further.' —'Eyre to Secretary Wayte, August 19, 1755.' *MSS.* Dublin. This, too, was passed over by a Govern-

1747

an indication that they might do what they pleased without danger of interference, the Galway townsmen made haste to extinguish the small remains that were left of the Protestant colony. The Governor was obliged to look on passively while a Protestant grammar school, which he remembered as a boy flourishing and well attended, came to an end for want of pupils, and a gorgeous mass-house rose where the school had stood. Protestant families, which had been hitherto staunch, forsook a cause which had lost confidence in itself, and conformed to Popery. Eyre forwarded to the Secretary a letter which had reached him unsigned, but for the truth of every word of which he said that he could vouch himself, explaining how in a short time the Protestant interest of Galway, once thought of such importance as to be the subject of a special Act of Parliament, was passing into nothing.[1]

ment which desired to believe all to be well, and would therefore notice nothing that was amiss.

[1] 'Sir, I hope you will pardon the trouble I give you when you understand the subject I mean it on. Nor do I know a more proper person, not only from the station her majesty has been pleased to place you in, but from the known adherence you and your family have to the Protestant interest and principles, to whom I might speak the fulness of my mind.

'It cannot be strange to you, who from your minority have known this place, how unhappily the poor few Protestants are situated, and dependent on the multitude of their Popish neighbours. And to make our case more miserable, those attempts that have been made to add a little strength to our declining numbers have (as an abandoned people not worth common pity) met with discouragement. Our neighbours, flushed with success and exulting in the destruction of a hopeful Protestant seminary which promised to be raised among us, are, to our shame be it spoken, erecting a large church in or near the centre of our town, to be illustrated with altar pieces, music, organs, paintings, &c. What are we to expect as the consequence. Our youths and weakminded are tempted by the glare and gildings of these structures, and the crafty insinuations of ecclesiastics with which the place abounds; our public worship is neglected, our churches decay, and in their room the others flourish and are supported. From the fulness of my soul I acquaint you with this. I grieve to see the decline of the few poor Protestants that are here, or rather fear an entire extermination of them. *MSS.* Dublin.

SECTION V.

BOOK IV. 1747

THE Disarming Act partially neutralized the feebleness of the administration; but while wrong was established in the place of right, and while England was managing Ireland, not for Ireland's good but for her own imagined interest, no disarming act or other superficial remedy could stay the progress of social disease.

The Irish Parliament had struggled long against the advancing tide; but, in the Irish Parliament itself, fatal influences were at work, and a new and poisonous element was beginning to show itself. The decay of religion left the gentry without the restraints which had held their fathers within bounds. The sense of injustice brought with it deserved resentment; but it was a resentment which, avoiding the wholesome roads marked out for it by Swift and Berkeley, took the form of rhetorical declamation. The modern Irish patriot now appeared on the scene; the adventurer, whose trade was agitation, who, careless of Ireland's welfare, made his own way to wealth and distinction by constituting himself the champion of her wrongs.

From the beginning of Anglo-Irish history there can be traced, in the leading spirits of the island, a particular notion of the meaning of the word liberty. True liberty means the being governed by just laws, laws which are in harmony with the will of the Maker and Master of the world. It is the worst curse of injustice that it leads men to look for redress, not to better government but to none, and to regard

their own consent as the measure of the restraint to which they may rightly be submitted. Liberty, the Irish said, and even Swift lent his authority to the definition, liberty consisted in the being ruled by laws which men made for themselves, tyranny in being ruled by laws made for them by others. If this be true, the minority in every constitutional state lives under a tyranny, for it lives under laws against which it has formally protested. The better the government of a disorderly and licentious people, the greater the wrong that is done to them, because such government most contradicts their own natural tendencies. Yet it is this idea which runs through Irish political discontent, and so long as the consent of the governed is recognized as essential to the legitimacy of authority, so long and so far Ireland will possess a grievance, which only complete separation will remove.

The consent of man was not asked when he was born into the world; his consent will not be asked when his time comes to die. As little has his consent to do with the laws which, while he lives, he is bound to obey. Let a nation be justly governed, and if it is wise it will not quarrel with the destiny which has provided for it the greatest of earthly blessings. English misrule in Ireland reached a point at last at which its grasp relaxed, and weakness compelled a surrender of a power which had been so scandalously misused; not, however, through any rising virtue on the part of the oppressed Irish, or through any divine aspiration after freedom and self-government, but because wrong had borne its necessary fruit in the feebleness of the oppressor.

As late as Chesterfield's viceroyalty, though legitimate discontent had been often expressed in the

BOOK. IV. 1749

House of Commons, there had been little systematic opposition to the English connexion. In 1703, both Houses passionately desired an act of union, and the storm raised by the halfpence died away when the victory had been won. So long as a combination with the Catholics against English rule was undreamt of, an Irish Protestant patriot was conscious at bottom that he could not maintain himself without England's help. So long as his Protestantism lasted as a real principle, he endured the injuries of his country as a lighter evil than compromise with his old enemy. As the century waned away, community of injury created a sympathy of resentment. The steady increase of Irish misery formed a contrast every year more marked with the growing splendour of England; and if material progress was thenceforward to be the chief aim of humanity, there was no conceivable reason why Ireland, Protestant or Catholic, should be denied a share in it.

In 1747, Lord Harrington having taken the place of Chesterfield, Charles Lucas, a Presbyterian apothecary, commenced the publication of the 'Citizen's Journal' in Dublin. The debates in Parliament were private. It met only in alternate years, and such fragments of speeches alone went abroad as could be carried away by memory. Here, for the first time, the people had an opportunity of seeing their wrongs expressed for them in a clear and permanent form. The paper came out weekly. It contained free criticism on the behaviour of the rich to the poor, the corruption of the courts of justice and the landlords' tyranny. Cases were published of tradesmen being horsewhipped who had dared to ask to have their bills paid. If the tradesman complained, he found the

1749

sheriff was the offender's bottle companion; if he went to the judge, he was silenced by higher interest. Similarly townships were shown to have been depopulated by the agents of absentees; constables to have been knocked down in the streets and to have had to bear it, 'for the poor were the great men's slaves.' So far there was no treason. Lucas might have published his journal every day in the year, and in each issue he might have varied his indictment against the state of Irish society. But from the social wrongs he passed to the national, and denounced, not with the vigour of Swift but with a noisy eloquence, effective because resting upon truth, the iniquity which had robbed Ireland of her manufactures.

The first number of the paper was dedicated to the King. Lucas appeared at the Castle at a levee, intending, and having allowed his intention to be known—intending to ask Lord Harrington if he had transmitted the dedication to the Court. Harrington sent an officer to desire him to leave the reception room. He obeyed, and published in the next issue an account of his treatment. He touched the familiar string which never failed to vibrate—the right of Ireland to make her own laws, and he created such a ferment that, Sir James Sommerville dying, and a vacancy being thus created in the representation of Dublin, Lucas offered himself to the suffrage of the citizens with every chance of success.

Harrington sent copies of the journal to England, to inform the ministers of the storm that was gathering.[1] The Dublin guilds were preparing to

[1] They are to be seen in the Record Office, characteristically *uncut*. *MSS. Ireland*, 1749.

BOOK IV.

1749

present Lucas, as they had presented Swift, with the freedom of their respective corporations.[1] The 'incendiary,' so the Viceroy described him, 'had gained so many converts, that it was absolutely necessary to put a stop to his proceedings.' Before the writ for the city election could be issued, at the opening of the autumn session for 1749, Lord Harrington denounced him from the throne. The Commons, as yet uninfected with 'sedition,' passed a vote that he was an enemy of his country. The mayor and aldermen, whom he had attacked in the interest of the townsmen, declared their abhorrence of him and his paper. A warrant was issued for his apprehension and committal to Newgate; and Lucas, bending before the tempest, left the country and took refuge in the Isle of Man.

Only, however, for a brief exile. As they grew desperate of other remedies, Irishmen of all ranks began to believe that it would never be well with them till they had the management of their own affairs. Lucas came back soon after, and, in spite of mayor and Castle influence, was returned for Dublin. To misgovern with a high hand was ceasing to be possible; and, as they refused to see and undo the wrong which they had inflicted, the policy of English Cabinets thenceforward was to corrupt where they could no longer defy. Ireland was now to be managed—managed with the abuse of patronage, and, still worse, with the abuse of the Pension List. The landowners who had pocket boroughs were bribed with peerages, and promotions for their children. Popular and needy adventurers sold their country

[1] 'Lord Harrington to the Duke of Bedford, October 12, 1749.' *MSS. Ireland.*

for pensions provided out of the hereditary revenues. The Irish establishment, no more available for royal mistresses and court favourites, was the instrument of the deliberate demoralization of the political intelligence of the nation.

The trade of agitation became, from this time, the surest road to advancement in the service of the state. To oppose the Government, to become troublesome in Parliament, to create a party in the country by denunciation of the hereditary oppressor, and, having become dangerous, to betray the wretches who trusted in them, to sell their services for title or promotion, or, grosser still, for bribes or sinecures, for which the means were supplied by the taxes, was the recognized occupation of aspirants to fame and fortune. Their detestable calling was pursued by themselves with an effrontery which disdained concealment, and was rewarded by the Government, not always without expressions of disgust, but as, on the whole, the readiest means of keeping quiet a troublesome dependency.

In the absence of the Viceroys the administration was in the hands of the Lords Justices, and, with the administration, the disposition also of patronage and of the public money. There were usually three of these great officers, of whom the Primate was one, the Speaker of the House of Commons another, and the third either the Chancellor, or some influential nobleman. So long as Boulter lived, corruption was rare or unknown.[1] He was upright, honourable, and straightforward, and to the utmost

[1] Boulter was an eminently sincere man, totally free from cant of all kinds. There is scarcely a single sentiment in his most confidential letters, at the publication of which he need have blushed.

BOOK IV.

of his ability, which was really considerable, he laboured for the true good of Ireland. He died in 1742. Hoadley succeeded him, but held the Primacy for five years only, and there was then appointed to the first place in the Church of Ireland a prelate of whose virtues (for some virtues it is to be supposed that he possessed) history has preserved no record. George Stone, the son of a banker, the grandson of a gaoler at Winchester, for reasons known to himself or his father, selected the Church as his profession. Made Dean of Derry almost as early as he could hold preferment, he was advanced rapidly through the sees of Ferns and Leighlin, Kildare and Derry, to the archbishopric, which he obtained while still in the vigour of his life. If the qualities which he most exhibited in his high office were those to which he owed his rise, he was lifted forward thus rapidly for his fashionable manners, the profound absence of moral scruple or conscience, and a singular dexterity in handling the political elements of a corrupt and corrupting time. This man was, for many years, the virtual dictator of Ireland. From his handsome person he was called the 'Beauty of Holiness.' Innocent of profligacy in its ordinary forms, he was credited, perhaps unjustly, with abominable vices; but, as foul smells adhere most strongly to unwholesome bodies, the odour, not of sanctity, which enveloped Stone is an evidence that he was an unhealthy representative of the successors of St. Patrick.

The Duke of Dorset, who had once already governed as Viceroy, from 1731 to 1736, returned for another five years in 1751. Growing old, and being perhaps constitutionally indolent, he made his son, Lord

George Sackville, Irish secretary; and Lord George and the Primate ruled Ireland with the help of the Pension List.[1] The financial administration had been an exception to the general neglect. The debts contracted in putting the kingdom in a state of defence in 1715, had been largely reduced, and were now under half a million. The revenues now exceeded the expenditure. The House desired that the surplus should be applied to clearing off the little that remained. The Crown challenged a right to dispose of it without giving account to Parliament; and Stone and Sackville, by free use of these funds among the political leaders, were able for a time to keep the curtain drawn. In the four years of their supremacy they came many times to issue with a powerful Parliamentary minority. Suits continued to be revived by the representatives of forfeited families, whose outlawries, notwithstanding all that had passed, the English Government persisted in taking off. Sir Thomas Prendergast, after fifty-three years' possession of an estate, which had been given to his father by King William, found his right challenged by the O'Shaughnessies. The O'Shaughnessies were supported by subscriptions among the Catholics. Prendergast, threatened with ruinous legal expenses, appealed to the House of Commons; and the Commons, in the teeth of Government influences, decided by a close division, after a violent debate, that 'they would proceed against all persons who assisted the O'Shaughnessies in carrying on their suit,

[1] A favourite toast at patriot public dinners in Dublin was 'May all secretary bashaws and lordly high priests be kept to their tackle, the sword and the Bible; and may the importation of Ganymedes be discouraged in Ireland!' Plowden.

BOOK IV.

as acting in defiance and contempt of Parliament.'[1] Arthur Neville, the Surveyor-General, a favourite of the Duke of Dorset, and a member of the Lower House, was censured for misappropriation of moneys, and expelled from the Legislature. An enquiry into the Pension List would have followed; but Boyle, the Speaker, who had been the chief promoter of the agitation, had gained the object for which he cared, in compelling the Government to make terms with him. Dorset was recalled as a constitutional concession, and the Primate was dismissed for a time from the Privy Council; but the essential mischiefs continued unabated. The country was plundered further to corrupt those who threatened to expose the corruptions. Boyle was made Earl of Shannon, while similar pensions rewarded and dispersed his followers.

The game, however, once entered on could not be again abandoned. Honest members were indignant at being so defeated, and were the more resolute to persevere. Dishonest members found the temptation irresistible to follow so lucrative a trade as agitation was seen to be.

Lord Hartington succeeded Dorset in the viceroyalty, but succeeded to an uneasy inheritance. The Commons, at the opening of the next session, expressed its regret that they should have been supposed to desire to encroach on the Royal prerogative. They trusted his majesty would believe that they were seeking only the welfare of their country, and at once the House resolved itself into a committee to consider the heads of a bill to secure the freedom of Parliament, by vacating the seat of any member of the House of

[1] *Commons' Journals*, December 11, 1755.

Commons who accepted pension or office from the Crown.

The same means were again used which had before been successful. A corrupt majority was secured, and a vote obtained that the committee should suspend its proceedings.[1] The Commons still demanded an account of the pensions granted in the year preceding, and a list was made out and laid before them, which professed to be complete, amounting to less than 10,000*l.*;[2] but either the list was falsely drawn, or the most considerable grants were concealed behind some cloak of technicalities; for in the next year a resolution was introduced, 'that the pensions and salaries placed on the civil establishment of Ireland since the 23rd of March, 1755, amounted to the annual sum of 28,103*l.*;[3] and, amidst reproaches, recriminations, dishonesty, and general discontent, Lord Hartington left Ireland to form an administration with Pitt, and the Duke of Bedford was named to succeed him.

[1] *Commons' Journals,* March 17, 1756.

[2] *Ibid.* May 5, 1756.

[3] *MSS.* Record Office, Ireland, 1757.

SECTION VI.

BOOK IV.

For a moment, and seemingly by accident, Ireland, at this crisis, attracted the attention of the future Lord Chatham. Ignorant as Pitt evidently was of the condition to which the country was reduced, and strikingly significant as that ignorance was of the neglect with which Irish affairs were treated, the interposition of the last great English minister, brief though it was, shines out amidst the general chicanery and cowardice, as if he belonged to another order of beings. Had the intellect which was to raise England to the first place among the European powers, found leisure to attend more carefully to the poor island, which had been, was, and was to be England's disgrace and weakness, it was not yet too late to recover the lost ground. It was not too late to restore a nobler spirit into the degraded and degrading administration. The fashion of dissolutions had ceased. The same House, which had been elected at the accession of George the Second, was still sitting after thirty years, renewing its life by elections as seats were vacated by death, and retaining the same disposition and the same traditions. The session of 1757 opened with a renewal of the assault on the Pension List. Resuming the lost bill, but proceeding in another manner, the Patriot party introduced a series of resolutions, that the granting of pensions to persons not residing in Ireland—the absentee aristocracy who controlled so many borough seats—was a national wrong; that the increase of civil pensions,

for many years past, was a grievance which demanded redress; that the granting pensions for a long term of years was an alienation of the revenues of Ireland, an improvident disposition of the revenue, and an injury to the crown and public. As drunkards themselves petition for a removal of the temptation which destroys them, the members who were themselves the recipients of those dishonouring gratuities, were compelled, by shame and the stream of opinion, to vote with the rest. The resolutions were passed unanimously, and the Viceroy was requested to name a day on which he would receive them, at the hands of the Speaker attended by the entire House.

The Duke of Bedford a well-meaning but proud and stupid man, accustomed to think of Ireland as a dependency, which had no rights beyond the registering of England's pleasure, was astonished and indignant. He summoned the Council. The resolutions, he said, were derogatory to the King's prerogative, indecent in expression, and so improper that, were he to promise to transmit them to England without expressing his disapproval, he would make himself *participem criminis*. He should, therefore, invite the House to reconsider its action. The Council answered, that the Duke might do as he pleased. The House, however, would not give way; and would resent such a message as an encroachment on its privileges. The Duke took, therefore, what he called a gentler method. He allowed the Speaker to present the resolutions, which were brought to him, with the solemnities adopted only on the most solemn occasions. 'But the matter which they contained,' he said, 'was of so high a nature, that he could not sud-

BOOK IV.

1757

denly determine whether it would be proper for him to transmit them or not.'[1]

His 'moderation' 'had not the effect which he expected.' The House refused to enter his answer in the Journals. He appealed to the Speaker, whom he hoped to find as malleable as his predecessors.[2] He received only 'a hard and dry answer that, in a point of this sort, he had no influence;'[3] and a vote was carried to suspend the supplies till the resolutions were sent over.

The lamentation which Bedford poured out to Pitt was a ludicrous confession of the nature of the influence on which the Castle had allowed itself to depend.

'Revenue officers,' he said, 'officers in the army, even—which is more extraordinary—pensioners who have enjoyed his majesty's bounty, were so disgusted at the like marks of favour which the King has been pleased to bestow on others within these two years past, that they voted to obstruct his majesty's and the public service, till they should have assurance of a satisfactory answer to their injurious demands.'[4] He begged to be recalled, or, if not recalled, to be armed with powers to withdraw the pensions, and to cancel the appointments of the ungrateful recipients of the wages of corruption. By no other means

[1] 'Bedford to Pitt, November 17, *MSS.* Record Office. 1757.'

[2] John Ponsonby, second son of the first Earl of Bessborough, who had succeeded Boyle, created Earl of Shannon.

[3] Ponsonby was found less hard, as will be seen at a late period.

[4] 'One person, I am ashamed to name,' the Duke goes on, 'as he received but the day before, through very ill-judged intercession in his behalf, a singular mark of his majesty's favour, Colonel Cunningham. He voted for postponing the Money Bill. I thought giving him his rank, would confirm him to his majesty's service, and would also have tied the Lord Primate, whose creature he is.'—'Bedford to Pitt, November 17, 1757.' *MSS.* Record Office.

could 'faction be overawed,' and respect recovered to the Government. He recommended a dissolution. No period was affixed by law to the duration of the Irish Parliament. The present House of Commons had been elected on the King's accession, and had every year grown more unmanageable.'[1]

Surprised probably, for the first time, into serious attention to the condition of Ireland, Pitt at once directed that the resolutions should be sent over. 'The worst heat,' he observed, had been provoked by the refusal to lay the grievances of the country before the Crown; the irritation would be allayed, and there would be leisure to consider what else it might be necessary to do if the Duke could be more conciliatory. He desired Bedford's 'own sentiments,' 'the amplest light,' 'a clear and full view,' as a means towards 'some prudent determination.'[2]

Had Pitt been on the spot, he might have done something considerable. Cromwell himself had not a keener loathing for dishonest manœuvres; and, by aiming at the real evils, he would have rallied the honest part of the House of Commons, and destroyed faction by removing its excuse. Bedford, trained in official routine, without original insight, and nourished upon constitutional commonplaces, was consciously helpless in an element so new to him. As soon as the embarrassment had reached its height, he was assailed by the leaders of the various factions, who, on their own terms, offered to extricate him. Three-quarters of the House of Commons were virtually nominees of the Peers. They were divided into three parties, of whom the Earl of Kildare, the Primate,

[1] 'Bedford to Pitt, November 17, 1757.' *MSS.* Record Office.
[2] 'Pitt to Bedford, November, 1757.' *Ibid.*

BOOK IV. 1757

and the Speaker were respectively the chiefs. Kildare and Ponsonby were personal enemies, and each was eager to secure some advantage at the other's expense. The Primate, who resented his removal from the Council, was willing to forgive, if restored to a share of patronage and power. He had friends in the English Cabinet who furnished him with copies of Pitt's most secret despatches, and thus negotiated for himself at special advantage. The Duke could not bring himself to the humiliation of listening at once to either of these competitors. The point of the resolutions being conceded, supplies were voted. Parliament separated for the Christmas recess, and the Viceroy was able to compose himself to send Pitt the information which was desired. The problem, as it presented itself to Bedford, was not how to govern Ireland wisely and well; but rather 'how to preserve it in the proper subserviency which it owed to the mother-country'—an object, in itself legitimate and essential, yet impossible to be obtained till the mother country recognized the conditions under which she had rights over Ireland at all.

'Faction and party,' the Duke said, 'have spread through all orders of men. There are not twenty in the House of Commons, including the servants of the Crown, on whom I can depend, or who are not more attached to some particular interest than the service of the Crown. Two parties have taken in hand to distress the Government, or force themselves into it; while the other party, which alone can check them, will not risk its popularity unless I consent to throw all power into the hands of its leaders. One of the two parties is the Primate's, which, by unnatural conjunction with that of the Speaker, in opposition to

the administration of the late Lord-Lieutenant, is equal, if not superior, in numbers to the Earl of Kildare's. I might have looked for help from the latter; but many of them are so infatuated with a vain popularity, and as vain a notion of securing their elections at a future Parliament, that I cannot depend on their assistance in opposing questions that may be proposed by their most bitter enemies. This is true; and the remedy is, that when I go to England I leave the sword in the hands of a deputy in whom I can confide—one who, by birth and attachment, shall be free from all Irish connexions. You cannot make a regency out of the heads of these factions, who would be equal in power, and equally solicitous of obtaining favour for those of their connexions. Should two join against the third, what mischief might we not look for? I adhere to my system. This kingdom ought not to be governed by parties. How long it has been so, and the ill effects arising from it, all the world knows too well. Any point touching on the English prerogatives is eagerly caught at. They talk of taxes on absentees or pensioners, &c. It may be necessary to dissolve them; or prorogation may bring them to a better mind. Strong measures, however, lie visibly ahead.'[1]

Strong measures—but what, or how? No one knew better than Pitt that the sword, unless so tempered as to heal the wounds which it inflicts, exasperates the symptoms which it is employed to cure.

'The Duke,' he replied, 'might have been more particular in explaining why parties in Ireland could not combine in measures for Ireland's good.' The plan of leaving the power to Lords Justices 'free

[1] 'Bedford to Pitt (abridged), January 4, 1758.' *MSS.* Record Office.

BOOK IV. 1758

from Irish connexions,' 'might deserve consideration in a subsidiary, conciliable, and healing disposition of spirits.' 'In a temper of national resentment and growing exasperation,' it might only increase the mischief. Dissolution or prorogation he thought 'wholly unadvisable and dangerous.'[1]

That Bedford should go to England, and see Pitt in private, was made absolutely necessary by a betrayal of their correspondence on both sides of the water. The Viceroy's letters were the property of the political leaders within a few hours of their being written. Each of them knew his embarrassments. Each feared to be left at the mercy of his rivals, and all alike to have the spoils of office stolen from them, by the appointment as deputy of some impartial Englishman.

The money having been voted for the usual two years, the concluding weeks of the session of 1758 were smoothed by mutual compromises. The struggle was suspended till Parliament should again meet, while the Viceroy worked in private to make a temporary arrangement during his absence. The first plan was to combine all parties, and leave three lords justices. The Primate offered to serve with Kildare and Ponsonby. But Kildare declined. 'The hate of parties to each other in public affairs,' wrote Bedford, '*for in private I see less of it than in most other countries*,' is 'so great, that I cannot conciliate them; and to leave the sword to either would be fatal.'[2] Kildare, however, was not the only powerful nobleman in Ireland. The Primate and Ponsonby were willing to work together. Lord Shannon,

[1] 'Pitt to Bedford, February 2, 1758.' *MSS.* Record Office.

[2] 'Bedford to Pitt, February 9.' *Ibid.*

having won his earldom and his pension, was not unwilling to earn future favours. In a letter, 'most secret and particular,' the Duke informed Pitt that he had at last formed a combination which would answer during a short absence. The Primate promised to be faithful in future, if his late conduct was not remembered against him. The Viceroy undertook, in return, that he should have his share in public patronage.[1] The sore question of the Pension List was allowed to lie over for the present, and Bedford sailed 'in the yacht' for England, at the beginning of May.

The curtain rises again in the autumn of 1759. A matter had occurred meanwhile which, if in Ireland it created no astonishment, was regarded in England with indignant surprise. The Irish Chancellor of the Exchequer, Mr. Antony Malone, and Mr. Clements, one of the Tellers, both members of the Privy Council, established a private bank in Dublin, fell into difficulties, and created a confusion in the public accounts. That they had traded with the public money they loudly denied; and their delinquency, if it had extended so far, was condoned by the Irish Parliament.[2] By their own confession, however, vast sums of money, public or private, or both together, had passed through their hands. They had paid off the mortgages on their estates, and had largely added to them. They failed to meet their engagements, and were forced to suspend payment; and though their debts were ultimately cleared, and Irish sentiment dealt with them leniently, the opinion in London was severely unfavourable.

[1] 'Bedford to Pitt, February 10, 1758.' *MSS.* Record Office.

[2] 33 George II. cap. 4.

BOOK IV.

1759

By this time to private scandal and Parliamentary faction there was added a public danger. The French war was at its height, and it was expected that a blow was to be aimed at England through the vulnerable side. A squadron of five ships, under M. Thurot, sailed from Dunkirk in October, to cruise in the Irish seas, while a powerful fleet collected at Brest—which, rumour said, was to land an army in Munster, in the middle of the winter. The relations between France and Ireland were manifold and intimate. The smuggling commerce was enormous; the Irish brigade corresponded regularly with their families at home. Officers had passed to and fro in disguise; and the air was full, as usual, of rumours of insurrection. Fifty thousand Catholics were reported ready to rise in arms to meet their deliverers, and their disposition to rebel was believed in Paris to be a practical fact.

Many anxious conversations on the state of Ireland had passed meanwhile between Pitt and Bedford. The Duke had told Pitt that, 'after eight months' experience, he considered Ireland as a country where laws had lost all energy, magistracy all authority, and even Parliament itself all reverence; and that nothing but military force could restrain the subject within due obedience.'[1]

Pitt's replies are unrecorded. Obviously however, from his subsequent language, it was to the Protestants and to Protestantism that he looked for recuperative force there, not to any relaxation of Catholic disabilities; that he regarded the discontent of Protestants in the midst of a hostile population as

[1] 'Bedford to Pitt, reminding him of a conversation in the spring, December 25, 1759.'

too strange a phenomenon to be accounted for by mere factiousness. For the moment the war was all-absorbing. Early in the autumn Bedford returned to Dublin. The French were daily looked for. The army was concentrated at Clonmel, ready to turn in whatever direction the enemy might appear. Limerick was the point of danger. If the landing was at Limerick, the city, it was thought, could not be saved. There was no force available but the regular troops. In 1715, every able-bodied Protestant had pressed into the militia, and the whole country was an armed camp. In 1759, the city of London alone raised a larger force than the whole of Ireland. The lords and gentlemen had been profuse in professions and promises; 'but the inefficacy of their zeal, their supineness after so strong and frequent warnings of dangers, could not but,' to Pitt's troubled mind, 'administer just ground of wonder and alarm.'[1]

The spirit of the seventeenth century was dead. Protestantism had spent its force, or survived only among the Presbyterians, whose bitterness over their prolonged disabilities was stronger than their loyalty. Public spirit, pride in the glorious empire of which they were permitted to be a part, had no longer an existence in the minds of the Irish colonists; or, if they recognized that they possessed a country, it was 'to thank God that they had a country to sell.'

English courage arrested the invasion. The French fleet, after sailing from Brest, was met by Hawke at Quiberon, and smashed in pieces. Thurot and his squadron descended on Carrickfergus, took the castle, plundered the town, and threatened Belfast. Had

[1] 'Pitt to Bedford, November 2, 1759.' *MSS.* Record Office.

BOOK IV. 1760

Belfast been attacked it could not have been saved, 'not so much as a single firelock,' so Pitt wrote indignantly, 'having been put into the hands of any Protestant in that part of Ireland since the commencement of the war;'[1] and Belfast was the only town in Ireland, except Dublin, of which the pillage would have been worth the risk of the adventure. Happily, before Thurot had time to learn with what ease he might make the capture, the English were upon him. Three frigates lay in harbour at Kingsale, the Æolus, the Pallas, and the Brilliant, Captain Elliott, in the Æolus, commanding. Thurot's five ships had been reduced to three also, of almost equal force with Elliott's. Already, before the attack on Carrickfergus, they had been heard of on the coast, and the English squadron was on its way to look for them.

Thurot was found still at anchor in Carrickfergus Bay. The wind was blowing hard off shore. The English could not close; and, under cover of night, Thurot slipped out into the channel. But Elliott was after him with daylight, and came up with him on the morning of the 28th February, between the Mull of Galloway and the Isle of Man. After a sharp engagement of an hour and a half, in which the French admiral was killed, the three ships struck, and were towed as prizes into Ramsay harbour, and the French descent on Ireland was at an end.[2]

The Dublin populace, meanwhile, had taken the opportunity of displaying the change of temper which had come over them since 1703, when Ireland,

[1] 'Pitt to Bedford, March 13, 1760.' *MSS.* Record Office.

[2] 'Captain Elliott to the Duke of Bedford, February 24, and 29, 1760.' *Ibid.*

almost on her knees, had petitioned for incorporation in the empire. Provoked, perhaps, by a knowledge of Bedford's words to Pitt, that Ireland could only be controlled by military force, a rumour had gone abroad that the Parliament was about to be suppressed; that the country was to be governed as a province from London, and the taxes to be voted at St. Stephen's. Every day, after the opening of the autumn session of 1759, a disorderly crowd hung about the doors of the Parliament House. Unpopular members were hooted at and hustled, and the city authorities had been required, with very little effect, to keep order. There was an adjournment for a few days in November. On the day of the reassembling,[1] a mob of several thousand persons, armed with swords and bludgeons, collected in College Green, broke into the House of Lords, and placed an old woman with a pipe in her mouth on the throne, as an indication of their respect for the Viceroy. They then took possession of the doors and approaches, and every member, Peer or Commoner, as he came up, was made to swear to be true to Ireland before he was allowed to enter. The Chancellor, Lord Bowes, an Englishman, refused the oath, and was turned back. The disturbance lasted through the whole morning. The Mayor came down, but looked on complacently, and refused to interfere. In the afternoon Bedford sent for him and the Sheriffs, bade them swear in special constables instantly, and quell the riot. The Mayor, from 'ill judged popularity,' said he did not know on whom he could depend. Bedford offered him the support of the

[1] December 3.

BOOK IV. 1759

troops. The Mayor replied that, as there was no riot act in Ireland, he could not sanction the use of the troops. He had urged the people to disperse, and he hoped they would obey. He would not order them to be shot 'in an affair about the privileges of Parliament.'

The city was thus left at the mercy of armed ruffians. Fifty soldiers were marched into the streets, as a demonstration; but, as no one would give them orders to act, they were only laughed at. At last, the Duke took the responsibility on himself. A party of cavalry were sent out, with directions in writing, to disperse the crowd, using as little violence as possible, but still to disperse them. The rioters retreated into the side streets, and defended themselves with stones; but finding this time that authority meant to assert itself, and that they were ridden down and sabred, they stood their ground till sixteen of them had been killed, and then disappeared into their dens.

In the riot itself, though no such scenes had been witnessed in Dublin for forty years, there was nothing calculated to create serious apprehension. It was the conduct of the civil authorities which gave it exceptional importance; which led Pitt, when he heard of what had happened, to reflect seriously, perhaps for the first time, on the Irish problem; and gave occasion for a curious and extremely valuable interchange of letters with the Duke of Bedford. The disturbance originated in a part of Dublin called 'the Earl of Meath's Liberty,' inhabited almost exclusively by Protestant artisans, among whom some excitement had been created two years before by a visit from John Wesley. Methodism, since Wesley's

preaching, had more or less agitated the lower classes of the Dublin Protestants; and, as a new form of dissent, had given special annoyance to the official mind of the Viceroy.

Interpreting the feelings of the Dublin populace by his own, and especially indignant at the indifference with which the banking transactions of the Irish Chancellor of the Exchequer had been passed over, Mr. Pitt considered the uproar to have been probably a demonstration against Mr. Malone and Mr. Clements. Bedford still persisted in throwing a shield over the delinquents, and, with the contempt of an English aristocrat for the opinions of a mob, set it down to the dissolution of authority and the republican tenets of the new sect, which he stigmatized with the name of Swaddlers. He shrunk from ordering an enquiry into the Mayor's conduct, and was disposed to transfer the entire responsibility to the Parliament.[1]

Through the mists and clouds of Irish misgovernment, Pitt's answer shines out like an exceptional flash of sunlight. Though he had no leisure to master the intricacies of the past administrative blundering, his powerful sense grasped instinctively the only principles on which order and good government could be restored. In the persevering efforts to screen a real enormity, he saw how deep was the root of the disease, and in the Duke's poor efforts to throw

[1] 'The place in which the riot rose, the Earl of Meath's Liberty, is chiefly inhabited by weavers, many of whom are Protestants, and of those called the "New Light Presbyterians, or Swaddlers." Their tenets both here, and I am sorry to say in the North of Ireland, are totally Republican, and averse to English government, and therefore they are at least, equally with the Catholics, to be guarded against'—'Bedford to Pitt, December 25, 1759.' *MSS.* Record Office, Ireland.

BOOK IV. 1760

the blame on the Dissenters, an evidence of the miserable infatuation which had so long paralyzed the influence of Protestantism. When Wesley visited Ireland in 1747, the peasantry had flocked about him eagerly, as the miners of Wales and Cornwall, and had been only driven from him by terror of their priests. Of all forms of the Protestant religion, Methodism and Calvinism were best fitted to make converts among the warm impassioned Celts. The Irish Government, with insane ingenuity, at once made itself the protector of moral dishonesty, and selected for special enmity England's most effective allies.

'You remind me,' so Pitt replied (and the letter should have been engraved on the walls of the viceregal cabinet, for successive governors of Ireland to read their duty there)—'You remind me that you told me last spring, that you considered Ireland, after eight months' experience, as a country where law had lost energy, magistracy all authority, and that nothing but military force could restrain the subject within due obedience.

'I must remind you in turn, that the great danger stated by your Grace, to be apprehended for Ireland, turned principally, if not solely, on the excessive superiority in numbers of Papists over Protestants.

'For the Lord Mayor and magistrates of Dublin, I can only observe that, in the late atrocious riot, those magistrates may more properly be said to have totally lost all sense of fidelity and duty, than that law and magistracy have lost energy and authority—a timely execution whereof so prudently and so expressly recommended by your Grace, duly supported in the execution by the military force, could not possibly have failed to prevent the consummation

of so opprobrious an indignity to Government, as well as to have seized and brought to exemplary punishment the ringleaders in such a daring attempt.

'I am hereupon to acquaint your Grace, that this wilful and shameful inexertion of magistracy continues to be considered here as being highly proper to be taken up and enquired into by the executive power, the exoneration whereof from itself by recommending the same to the inquisition of the House of Commons in Ireland, might tend to a further relaxation of the authority of the King's government by due course of law.

'In case, on such enquiry being had, there shall appear full and sufficient grounds in law to prosecute criminally and convict the said magistrates, it is his Majesty's pleasure that your Grace, after taking the advice of his servants learned in the law, should order proper legal proceedings to be commenced against them.

'With regard to the causes of the late outrage, I cannot but remark that, considering the riot to have taken its rise in the Earl of Meath's Liberty, chiefly inhabited by Protestant weavers, there is still more pregnant ground to apprehend, that the money transactions of Mr. Malone and Mr. Clements have probably been one fatal ingredient amongst others, observed by your Grace, towards distempering and revolting the minds of a manufacturing multitude, who (though nothing can extenuate the guilt of such an insurrection) may perhaps have felt in their trade the consequences of such a scandalous and iniquitous business, which continues here to be viewed in the same light, and to stand the object of public animadversion.

BOOK IV. 1760

'It is with great concern I observe, your Grace thinks there is cause to consider any one class of Presbyterians in Ireland as averse to English government, and therefore at least, equally with Papists, to be guarded against. I am not very particularly acquainted with the distinctive tenets of the sect among them mentioned by your Grace, but it highly imports Government to reflect—however blameworthy the too rigid adherence of Presbyterians to some things may justly be thought in comparison to the excellences of the Church of England—that nevertheless the Presbyterian Dissenters in general must ever deserve to be considered in opposition to the Church of Rome, as a very valuable branch of the Reformation; and that, with regard to their civil principles, that respectable body have in all times showed themselves, both in England and Ireland, firm and zealous supporters of the glorious revolution under King William, and of the present happy Establishment.[1]'

[1] 'Pitt to Bedford, January 5, 1760.' *MSS.* Record Office.

SECTION VII.

1767

The principles of government sketched out by Pitt would have saved Ireland yet, if bravely acted on, from the black morass of anarchy, into which it was rapidly plunging. But, besides principles, there were needed men who believed in them; and the professional politicians into whose hands the affairs of England were passing, and in whose hands they have ever since remained, preferred, with such success as we have seen, the roads better suited to their political convictions. The Dublin magistrates were not prosecuted, for the Viceroy's evidence against them would have been required, and the Viceroy held his presence in the witness box unsuited to his dignity.[1] Pitt retired from office, and his spirit disappeared from the English administration. The splendid position which he had won for his country had overawed the Catholic Powers, and had dispelled for a time the dream of invading Ireland. The Irish Catholics made demonstrations of loyalty, and the Government of the Castle relapsed into its convenient grooves. Irish patriots continued to earn popularity by declaiming against the Pension List, and successive Viceroys continued to silence opposition by adding to its burdens. The details of the growing scandal are reserved for a future volume; a single specimen will serve to show how, for a few more years, Ireland was not ruled but managed.

In 1767, in the viceroyalty of Lord Townshend, George the Third desired to increase the strength of the

[1] 'Bedford to Pitt, January 19.' *MSS.* Record Office.

BOOK II. 1767

military establishment in Ireland. The consent of the Irish Parliament was necessary, and there was nothing in the measure itself to which serious objection could be taken. But patriotism found an opportunity in the proposal to lay a pressure on the Government for its usual objects. Lord Shannon, Speaker Ponsonby, and the Prime Sergeant, a lawyer just rising into fame, the able and brilliant Hely Hutchinson,[1] raised the cry of Irish liberty in danger. The supplies were threatened. A critical division was impending. The popular triumvirate having shown their strength, suspended their further action, waited on the Viceroy, and calmly intimated to him the terms on which they would desert their party, and go over to the Government. Lord Shannon, whose father had secured a peerage and a pension by similar methods, required to be permanent Lord Justice during the Lord Lieutenant's absence. Ponsonby 'expected that the office of examinator of the customs' (which carried with it extensive patronage) 'should be given to him and his brother for their joint lives.' Hely Hutchinson, who was making a large income in his profession, modestly asked nothing for himself, but he demanded 'provision to be made for the lives of his two sons, by a grant to them, and the survivor of them, of some office of at least the value of 500*l.* a year;' 'if no vacancy should happen before the rising of Parliament, that either a pension, or a salary of that amount, should be added to some office to be enjoyed by his two sons during their joint lives, and that his wife might be created a viscountess.'

[1] Hely Hutchinson was described by Townshend as 'the most popular man in Parliament to conduct a debate.'—'Townshend to Lord Shelburne, November 16, 1767.'

[2] Richard Boyle, second Earl, who succeeded his father in 1764. He had married Ponsonby's daughter.

'These,' wrote the Viceroy to Lord Shelburne, 'are the terms on which they will undertake to support us. If you consent, we shall get through the session easy.'[1] Lord Chatham was at this moment again Prime Minister, and, though too ill to attend to business, his spirit was present in the English Cabinet.

'The leading persons in Ireland,' Shelburne haughtily answered, 'must act as they can answer to their consciences and as representatives of the people. The King will, at the end of the session, take into consideration the merits of those who have exerted themselves for the support of the Government and the good of Ireland. The conduct of those who shall have acted from motives of a less honourable nature will not escape his Majesty's notice.'[2]

The words were brave, but the sequel was an instructive commentary on the value of constitutional government among politicians who had yet to learn the rudiments of honesty.

A month later Townshend was obliged to tell Lord Shelburne that, unless he was prepared to reduce the Irish expenditure within the limits of the hereditary revenue, and to rule Ireland without a Parliament, the King's government could not be carried on.

But the secret history of Lord Townshend's administration, which, as he truly said, formed a crisis in Irish political life, will be related in a future chapter.

[1] 'Lord Townshend to Lord Shelburne (secret and separate), December 12, 1767.' *MSS.* Record Office.

[2] 'The Earl of Shelburne to Lord Townshend, December 19, 1767.' (Secret.) *Ibid.*

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The Author's *Prospectus.*

THE occasion of my undertaking the present work was, as regards myself, an involuntary leisure forced upon me by my inability to pursue the profession which I had entered, but which I was forbidden by the law to exchange for another; and, secondly, the attitude towards the Revolution of the 16th century which had been assumed by many influential thinkers in England and on the Continent.

Goëthe had said of Luther and Calvin that they had delayed the intellectual growth of Europe for centuries by calling in the mob to decide questions which should have been left to the thinkers. Our own Reformers, who for three centuries had been the object of enthusiastic panegyric, were being assailed with equally violent abuse by the High Churchmen on one side, and Liberal statesmen and political philosophers on the other. Lord Macaulay had attacked Cranmer as one of the basest of mankind. It had become the fashion to speak with extreme severity of the persecution of the Catholics by Elizabeth. Even writers on the whole favourable to the Reformation described the English branch of it as a good thing badly done.

My own impression about it was, that the Reformation was both a good thing itself and that in England it had been accomplished with peculiar skill and success. The passions called out by religious controversy, which in France and Germany were the occasions of long and bloody wars, were controlled in England by the Government. I considered that on the whole the control had worked beneficially, and that those who condemned the repressive measures adopted towards the Romanists by Elizabeth's ministers had made imperfect allowance for the temper of the times and for the impossibility of tolerating opinions which led immediately to rebellion. My original purpose was to confine myself to the reign of the great Queen for whom, looking to the spirit in which her government had been conducted, I felt great admiration. The attacks of Lingard and others upon her personal purity I believed to be gratuitous and unjust. I intended as briefly as I could to undertake her vindication. With Cranmer and his companions, unwilling as I was to accept Lord Macaulay's judgment upon them, I had not proposed to meddle. I shared the prevailing views of the character of Henry VIII.; and though I considered that if all the circumstances were known to us there might be found much to modify our censure on the Archbishop's behaviour, it was plain that he had gone along with the king in the most questionable actions of the reign.

I found myself, however, unable to handle the later features of the Revolution without going back to the beginning of it. The coming of the Armada was the last act of a drama of which the divorce of Queen Catharine was the first. The publication of new materials, the improved accessibility of the records in our own and other countries, and the voluminous diplomatic correspondence which was thus opened to inquiry, threw fresh light upon much that had been obscure and unintelligible. I was thus led first to study more closely, and then to undertake the narrative of the entire period between the original quarrel with the Papacy and the point at which the separation of England from the Roman communion was finally decided.

My general opinion on the character of the movement remains unchanged, but I have not consciously allowed myself to be influenced by my prepossessions; for of the persons whose actions I have had to describe there are several of the most distinguished about whom I have been compelled to alter the sentiments with which I commenced, at the sacrifice of favourite prejudices. A qualified defence of Henry VIII. was forced upon me by the facts of the case. With equal reluctance I had to acknowledge that the wisdom of Elizabeth was the wisdom of her ministers, and that her chief merit, which circumstances must divide with herself, lay in allowing her policy to be guided by Lord Burghley.

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I owe an apology to the public for the length to which the book has run. I have this only to say in my defence, that nine-tenths of the materials which I have used are in MS. and therefore difficult of access. I have desired to enable my readers to form their own opinions rather than to intrude mine upon them; and I have allowed the principal actors, therefore, to unfold their characters and motives in their own language.

Thus, with my cordial thanks to the English public for the support which they have kindly extended to me in this enterprise, I close a work which has been the companion of twenty years of pleasant but of unintermittent labour.

SYNOPSIS OF CONTENTS.

REIGN OF HENRY THE EIGHTH.

VOLUMES I. *to* IV.

CHAP.
1. Social Condition of England in the Sixteenth Century.
2. The last Years of the Administration of WOLSEY.
3. The Parliament of 1529.
4. Church and State.
5. Marriage of HENRY and ANNE BOLEYN.
6. The Protestants.
7. The Last Efforts of Diplomacy.
8. The Irish Rebellion.
9. The Catholic Martyrs.
10. The Visitation of the Monasteries.
11. Trial and Death of ANNE BOLEYN.
12. Foreign and Domestic Aspects of the Reformation in England.
13. The Pilgrimage of Grace.
14. The Commission of Cardinal POLE.
15. The Exeter Conspiracy.
16. The Six Articles.
17. ANNE of CLEVES and the Fall of CROMWELL.
18. Scotland and Ireland.
19. Solway Moss.
20. The French War.
21. The Peace of Crêpy.
22. The Invasion.
23. The Death of HENRY the EIGHTH.

REIGNS OF EDWARD THE SIXTH AND MARY.

VOLUMES V. *and* VI.

CHAP.
24. The Protectorate.
25. The Protectorate—*continued.*
26. The Fall of the PROTECTOR.
27. The Reformed Administration.
28. Execution of the DUKE of SOMERSET.
29. NORTHUMBERLAND'S Conspiracy.
30. QUEEN JANE and QUEEN MARY.
31. The Spanish Marriage.
32. Reconciliation with Rome.
33. The Martyrs.
34. Calais.
35. Death of MARY.

REIGN OF ELIZABETH.

VOLUMES VII. *to* XII.

CHAP.
1. Accession of QUEEN ELIZABETH and the Restoration of the Royal Supremacy.
2. The Reformation in Scotland.
3. The Expulsion of the French.
4. ELIZABETH and Lord ROBERT DUDLEY.
5. The Civil War in France.
6. Condition of England.
7. Ireland under MARY and ELIZABETH.
8. MARY QUEEN of SCOTS and the English Succession.
9. The DARNLEY Marriage.
10. The Murder of DARNLEY.
11. SHAN O'NEIL.
12. The English Navy under ELIZABETH.
13. Dethronement of the QUEEN of SCOTS.
14. MARY STUART at Lochleven.
15. Flight to England.
16. Seizure of the Spanish Treasure.
17. The English Aristocracy.
18. The Rising of the North.
19. Excommunication of ELIZABETH.
20. The Ridolfi Conspiracy.
21. Spain and England.
22. Execution of the DUKE of NORFOLK.
23. Massacre of ST. BARTHOLOMEW.
24. Administration of Ireland.
25. Development of the Character of ELIZABETH.
26. The Alençon Marriage.
27. The Desmond Rebellion.
28. Catholic Reaction in Scotland.
29. Voyage of Sir FRANCIS DRAKE.
30. The D'AUBIGNÉ Plot.
31. Intended Invasion of England.
32. General Uncertainty.
33. The War in the Netherlands.
34. Execution of the QUEEN of SCOTS.
35. Preparations for the Closing Struggle.
36. Defeat of the Armada.
37. Concluding Chapter.
INDEX.

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ALLIES on Formation of Christendom 14
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Alpine Guide (The) 16
——— Journal 19
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Authority and Conscience 13
Autumn Holidays of a Country Parson 6
AYRE'S Treasury of Bible Knowledge..... 14

BACON'S Essays by WHATELY 5
——— Life and Letters, by SPEDDING .. 4
——— Works..... 5
BAIN'S Mental and Moral Science 7
——— on the Senses and Intellect 7
BALL'S Guide to the Central Alps..... 16
———Guide to the Western Alps 16
———Guide to the Eastern Alps 16
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Beaten Tracks 16
BECKER'S *Charicles* and *Gallus* 17
BENFEY'S Sanskrit-English Dictionary 6
BERNARD on British Neutrality 1
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——— Handbook of Steam Engine 12
——— Treatise on the Steam Engine.... 12
——— Improvements in the same 12
BOWDLER'S Family SHAKSPEARE..... 18
BOYD'S Reminiscences 3
BRAMLEY-MOORE'S Six Sisters of the Valley 17
BRANDE'S Dictionary of Science, Literature, and Art..... 9
BRAY'S Manual of Anthropology 7
———Philosophy of Necessity 7
———On Force 7
———(Mrs.) Hartland Forest..... 16
BROWNE'S Exposition of the 39 Articles.... 13
BRUNEL'S Life of BRUNEL 3
BUCKLE'S History of Civilisation 1
BULL'S Hints to Mothers 19
——— Maternal Management of Children.. 19
BUNSEN'S God in History..... 3
——— Prayers 13
BURKE'S Vicissitudes of Families 4
BURTON'S Christian Church 3

Cabinet Lawyer..... 15
CAMPBELL'S Norway 15
CARNOTA'S Memoirs of Pombal 3
CATES'S Biographical Dictionary 4
——— and WOODWARD'S Encyclopœdia 2
CATS and FARLIE'S Moral Emblems 11
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——— Waterloo Campaign 2
Chorale Book for England 11
Christ the Consoler..... 13
CLOUGH'S Lives from Plutarch 2
COLENSO (Bishop) on Pentateuch and Book of Joshua..... 14
COLLINGWOOD'S Vision of Creation 17
Commonplace Philosopher in Town and Country 6
CONINGTON'S Translation of Virgil's Æneid 18
CONTANSEAU'S Two French Dictionaries .. 6
CONYBEARE and HOWSON'S Life and Epistles of St. Paul 14
COOPER'S Surgical Dictionary..... 14
COPLAND'S Dictionary of Practical Medicine 14
COULTHART'S Decimal Interest Tables 19
Counsel and Comfort from a City Pulpit .. 6
COX'S (G. W.) Aryan Mythology 3
——— Tale of the Great Persian War 2
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———and JONES'S Popular Romances 16
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DYER'S City of Rome 2

EASTLAKE'S Gothic Revival 12
——— Hints on Household Taste 12
Edinburgh Review 19
Elements of Botany 9

ELLICOTT on New Testament Revision.... 13
———'s Commentary on Ephesians 14
———— Galatians 14
———— Pastoral Epist. 14
———— Philippians,&c. 14
———— Thessalonians 14
———'s Lectures on Life of Christ 14
EWALD'S History of Israel 14

FAIRBAIRN'S Application of Cast and Wrought Iron to Building 12
———— Information for Engineers 12
———— Treatise on Mills and Millwork 12
———— Iron Shipbuilding 12
FARADAY'S Life and Letters 4
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FELKIN on Hosiery & Lace Manufactures.. 12
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———— System of Surgery 11
Home (The) at Heatherbrae 17

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How we Spent the Summer..... 15
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———— Mad War Planet..... 17
———— Rural Life of England 16
———— Visits to Remarkable Places 16
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———— Treatise on Human Nature..... 7

IHNE'S History of Rome 2
INGELOW'S Poems 18
———— Story of Doom..... 18

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———— Legends of the Madonna..... 11
———— Legends of the Monastic Orders 11
———— Legends of the Saviour..... 11
JARDINE'S Christian Sacredotalism 13
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———— Hebrew Grammar..... 5
KEITH on Destiny of the World..... 14
———— Fulfilment of Prophecy..... 14
KERL'S Metallurgy, by CROOKES and RÖHRIG 13
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